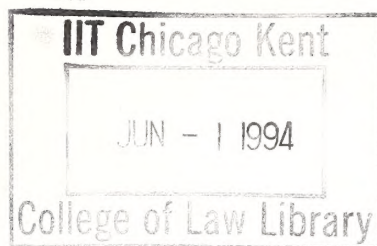


I1235

71 J.C.
(RESERVE)



1994

Illinois Register

Rules of Governmental Agencies

Volume 18, Issue 21— May 27, 1994

Pages 7986-8218

Index Department
Administrative Code Div.
111 East Monroe Street
Springfield, IL 62756
(217) 782-7017



Printed on recycled paper

published by
George H. Ryan
Secretary of State

TABLE OF CONTENTS

PROPOSED RULES

PROFESSIONAL REGULATION, DEPARTMENT OF Professional Counselor & Clinical Professional Counselor Licensing Act; 68 Ill. Adm. Code 1375	7986
PUBLIC HEALTH, DEPARTMENT OF Lead Poisoning Prevention Code; 77 Ill. Adm. Code 845	8021

ADOPTED RULES

MINES AND MINERALS, DEPARTMENT OF Ill. Oil & Gas Act; 62 Ill. Adm. Code 240	8061
TRANSPORTATION, DEPARTMENT OF Construction in Floodways of Rivers, Lakes & Streams; 92 Ill. Adm. Code 700	8167

NOTICE OF CORRECTIONS

COMPTROLLER, OFFICE OF THE Ill. Funeral or Burial Bond Act; 38 Ill. Adm. Code 610	8172
--	------

NOTICE OF PUBLIC HEARINGS

PROFESSIONAL REGULATION, DEPARTMENT OF Professional Counselor & Clinical Professional Counselor Licensing Act; 68 Ill. Adm. Code 1375	8200
---	------

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Second Notices Received	8202
-------------------------------	------

EXECUTIVE ORDERS AND PROCLAMATIONS

PROCLAMATIONS

94-218	Arts Week	8204
94-219	Rotary Club Of Oak Park Day	8204
94-220	SCORE Day	8205
94-221	A.J. Boggio Day	8205
94-222	D.A.R.E. Family Night With The Cardinals	8206
94-223	Howard A. Peters III Day	8207
94-224	Mother's Day	8208
94-225	Palos Heights Public Library Day	8208
94-226	Planet Illinois Day	8209
94-227	Gateway Foundation Day	8209
94-228	Legacy Tour '94 Day	8210
94-229	National Association of Insurance Women's Week	8210
94-230	Surgical Technologists Week	8211
94-231	World Cup Education Month/World Cup Days	8211
94-232	Child Support Awareness Day	8212
94-233	Electrical Safety Month	8213
94-234	Highland Community College Collegiate Choir Day	8213
94-235	Telephone Operators Week At Illinois Masonic Medical Center	8214
94-236	Alan F. Quoss Day	8214
94-237	CPA Day	8214
94-238	Maritime Day	8215
94-239	Railroad Women's Day	8215
94-240	Tourism Day	8216
94-241	Transportation Week	8216
94-242	Buckle-Up America Month	8217
94-243	Dr. William Hill Day	8218
94-244	Stamp Collecting Week	8218

CUMULATIVE INDEX

1994 Index - Issue #21	CI-1
----------------------------------	------

SECTIONS AFFECTED INDEX

1994 Index - Issue #21	SAI-1
----------------------------------	-------

INTRODUCTION

The Illinois Register is the official state document for publishing public notice of rulemaking activity by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. Rulemaking activity consists of proposed or adopted new rules or amendments to or repealers of existing rules, including those by emergency or peremptory action.

The *Register* also contains Executive Orders and Proclamations issued by the Governor, notices of public information required by State statute, and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies. In addition, the *Register* contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current *Register* volume and a Sections Affected Index listing, by Title of the *Illinois Administrative Code*, each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume. Both indices are action coded and are designed to aid the public in monitoring rules.

The *Register* will serve as the update to the *Illinois Administrative Code*, a compilation of the rules of State agencies. The most recent edition of the *Code* along with the *Register* comprise the most current accounting of the State agencies' rules.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1 et seq.].

REGISTER PUBLICATION SCHEDULE 1994

Material Rec'd after 12:00 p.m. on:	And before 12:00 p.m. on:	Will be in Issue #:	Published on:	Material Rec'd after 12:00 p.m. on:	And before 12:00 p.m. on:	Will be in Issue #:	Published on:
Dec. 21, 1993	Dec. 28, 1993	1	Jan. 7, 1994	June 28, 1994	July 5, 1994	28	July 15, 1994
Dec. 28, 1993	Jan. 4, 1994	2	Jan. 14, 1994	July 5, 1994	July 12, 1994	29	July 22, 1994
Jan. 4, 1994	Jan. 11, 1994	3	Jan. 21, 1994	July 12, 1994	July 19, 1994	30	July 29, 1994
Jan. 11, 1994	Jan. 18, 1994	4	Jan. 28, 1994	July 19, 1994	July 26, 1994	31	Aug. 5, 1994
Jan. 18, 1994	Jan. 25, 1994	5	Feb. 4, 1994	July 26, 1994	Aug. 2, 1994	32	Aug. 12, 1994
Jan. 25, 1994	Feb. 1, 1994	6 (Mon.)	Feb. 14, 1994	Aug. 2, 1994	Aug. 9, 1994	33	Aug. 19, 1994
Feb. 1, 1994	Feb. 8, 1994	7	Feb. 18, 1994	Aug. 9, 1994	Aug. 16, 1994	34	Aug. 26, 1994
Feb. 8, 1994	Feb. 15, 1994	8	Feb. 25, 1994	Aug. 16, 1994	Aug. 23, 1994	35	Sept. 2, 1994
Feb. 15, 1994	Feb. 22, 1994	9	Mar. 4, 1994	Aug. 23, 1994	Aug. 30, 1994	36	Sept. 9, 1994
Feb. 22, 1994	Mar. 1, 1994	10	Mar. 11, 1994	Aug. 30, 1994	Sept. 6, 1994	37	Sept. 16, 1994
Mar. 1, 1994	Mar. 8, 1994	11	Mar. 18, 1994	Sept. 6, 1994	Sept. 13, 1994	38	Sept. 23, 1994
Mar. 8, 1994	Mar. 15, 1994	12	Mar. 25, 1994	Sept. 13, 1994	Sept. 20, 1994	39	Sept. 30, 1994
Mar. 15, 1994	Mar. 22, 1994	13	Apr. 1, 1994	Sept. 20, 1994	Sept. 27, 1994	40	Oct. 7, 1994
Mar. 22, 1994	Mar. 29, 1994	14	Apr. 8, 1994	Sept. 27, 1994	Oct. 4, 1994	41	Oct. 14, 1994
Mar. 29, 1994	Apr. 5, 1994	15	Apr. 15, 1994	Oct. 4, 1994	Oct. 11, 1994	42	Oct. 21, 1994
Apr. 5, 1994	Apr. 12, 1994	16	Apr. 22, 1994	Oct. 11, 1994	Oct. 18, 1994	43	Oct. 28, 1994
Apr. 12, 1994	Apr. 19, 1994	17	Apr. 29, 1994	Oct. 18, 1994	Oct. 25, 1994	44	Nov. 4, 1994
Apr. 19, 1994	Apr. 26, 1994	18	May 6, 1994	Oct. 25, 1994	Nov. 1, 1994	45	Nov. 14, 1994 (Mon.)
Apr. 26, 1994	May 3, 1994	19	May 13, 1994	Nov. 1, 1994	Nov. 7, 1994 (Mon.)	46	Nov. 18, 1994
May 3, 1994	May 10, 1994	20	May 20, 1994	Nov. 7, 1994	Nov. 15, 1994	47	Nov. 28, 1994 (Mon.)
May 10, 1994	May 17, 1994	21	May 27, 1994	Nov. 15, 1994	Nov. 22, 1994	48	Dec. 2, 1994
May 17, 1994	May 24, 1994	22	June 3, 1994	Nov. 22, 1994	Nov. 29, 1994	49	Dec. 9, 1994
May 24, 1994	May 31, 1994	23	June 10, 1994	Nov. 29, 1994	Dec. 6, 1994	50	Dec. 16, 1994
May 31, 1994	June 7, 1994	24	June 17, 1994	Dec. 6, 1994	Dec. 13, 1994	51	Dec. 23, 1994
June 7, 1994	June 14, 1994	25	June 24, 1994	Dec. 13, 1994	Dec. 20, 1994	52	Dec. 30, 1994
June 14, 1994	June 21, 1994	26	July 1, 1994	Dec. 20, 1994	Dec. 27, 1994	1	Jan. 6, 1995
June 21, 1994	June 28, 1994	27	July 8, 1994	Dec. 27, 1994	Jan. 3, 1995	2	Jan. 13, 1995

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

1) Heading of the Part: Professional Counselor and Clinical Professional Counselor Licensing Act

2) Code Citation: 68 Ill. Adm. Code 1375

3) Section Numbers: Proposed Action:

1375.10	New Section
1375.20	New Section
1375.30	New Section
1375.40	New Section
1375.50	New Section
1375.60	New Section
1375.70	New Section
1375.80	New Section
1375.100	New Section
1375.110	New Section
1375.120	New Section
1375.130	New Section
1375.135	New Section
1375.140	New Section
1375.150	New Section
1375.160	New Section
1375.170	New Section
1375.200	New Section
1375.210	New Section
1375.230	New Section

4) Statutory Authority: Implementing and authorized by Section 25 of the Professional Counselor and Clinical Professional Counselor Licensing Act [225 ILCS 107/25].

5) A Complete Description of the Subjects and Issues Involved:

Public Act 87-1011, effective January 1, 1993, provided for the licensure of professional counselors and clinical professional counselors by the Department of Professional Regulation. The General Assembly provided funding for FY 1994 to implement the Act. When adopted, these rules will allow the Department to begin processing licensure applications.

These proposed rules detail how applicants qualified by education and experience can obtain temporary licenses as professional counselors or clinical professional counselors without examination as provided under Section 55 of the Act.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

All temporary licenses will expire on September 5, 1998. Any holder of a temporary license who has not passed the examination and obtained a permanent professional counselor or clinical professional counselor license by September 5, 1998, shall be required to submit a new application to the Department and meet the requirements in effect at the time of reapplication.

The Department, upon the recommendation of the Professional Counselor Examining and Disciplinary Board, has determined that the educational and experience requirements of the following certifications meet the standards for an applicant to sit for the professional counselor examination:

- 1) Illinois Alcohol and Other Drug Abuse Professional Certification Association, Inc. at the master's level (Certified Master AODA Counselor)
- 2) American Association of Marriage and Family Therapy (AAMFT)
- 3) School Counselor Type 75 issued by the Illinois State Board of Education
- 4) American Association of Pastoral Counselors Fellow or Diplomate
- 5) School Psychologist certified by the Illinois State Board of Education.

For clinical professional counselors, individuals who hold a Certified Master AODA Counselor (CMADC) certification from the Illinois Alcohol and Other Drug Abuse Professional Certification Association (IODAPCA) meet the education and experience requirements to be eligible to sit for the examination.

The rules also provide that individuals who hold a current certification from the following groups meet the education requirements to be eligible to sit for the clinical professional examination:

- 1) Clinical member of the American Association for Marriage Therapy (AAMFT)
- 2) Fellow or Diplomate of the American Association of Pastoral Counselors (AAPC)
- 3) School Counselor certified by the Illinois State Board of Education
- 4) School Psychologist certified by the Illinois State Board of Education.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

Applicants for clinical professional counselor licenses shall submit certification from one of the above entities in lieu of the documents required for education. They also will need to submit proof of experience and pass the clinical professional counselor examination.

Requirements for an institution to gain approval from the Department as an approved professional counseling or clinical professional counseling education program are detailed. The proposed rules also state that all master's degree and doctoral programs in professional counseling that are accredited by the Council for Accreditation of Counseling and Related Educational Programs (CACREP) and the Council on Rehabilitation Education (CORE) are approved. Doctoral programs in psychology approved by the American Psychological Association also are approved.

The examination administered by the Department for licensure as a professional counselor shall be the National Counselor Examination (NCE) of the National Board for Certified Counselors (NBCC). Prior to September 5, 1998, the examination for licensure as a clinical professional counselor shall be the National Certified Mental Health Counselor Examination (NCMHCE). After September 5, 1998, the examination for licensure as a clinical professional counselor shall be the National Counselor Examination of the National Board for Certified Counselors and the National Certified Medical Health Counselor Examination (NCMHCE). Other examinations accepted by the Department also are listed.

An individual who holds an active Illinois license as a clinical psychologist or clinical social worker shall be issued a license as a clinical professional counselor without examination upon payment of the \$150 fee specified in the Professional Counselor and Clinical Professional Counselor Licensing Act.

Other Sections of the proposed rules describe how applicants from other jurisdictions can obtain an Illinois license by endorsement, how to renew or restore a license and how to place a license on inactive status.

Also included are circumstances under which the Director of the Department may grant variances to these rules.

- 6) Do these proposed Rules replace an emergency Rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed Rules contain incorporations by reference? No.
- 9) Are there any other proposed Rules pending on this Part? No

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 10) Statement of Statewide Policy Objectives (if applicable):

This rulemaking has no effect on local governments.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Public hearings will be held as follows:

Wednesday, June 22, 1994, 10 A.M.
Department of Professional Regulation
James R. Thompson Center, 9th Floor, Room 9-301
100 West Randolph
Chicago, Illinois 62959

Friday, June 24, 1994, 10 A.M.
Illinois Department of Professional Regulation
320 West Washington, 5th Floor Conference Room
Springfield, Illinois 62786

Those individuals who are unable to attend the public hearing but wish to comment on the Proposed Rules should submit written comments to:

Department of Professional Regulation
Attention: Jean A. Courtney
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0800 Fax #: 217/782-7645

All comments received within 30 days after this issue of the Illinois Register will be considered. The comments of interested persons who submit a request to comment within 14 days after this issue will be considered if received within 30 days after such request.

- 12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Those providing the services of professional counselors and clinical professional counselors.

B) Reporting, bookkeeping or other procedures required for compliance:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

Any holder of a temporary license who has not passed the examination and obtained a permanent license by September 5, 1998, shall be required to submit a new application to the Department and meet the requirements in effect at the time of reapplication. The first license renewal period will be March 31, 1997. Thereafter, every license issued under the Act shall expire on March 31 of odd numbered years. Licensees are responsible for notifying the Department of any change of address.

C) Types of professional skills necessary for compliance:

Professional counselor skills are necessary for licensure.

The full text of the Proposed Rules begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1375

PROFESSIONAL COUNSELOR AND CLINICAL PROFESSIONAL COUNSELOR
LICENSING ACT

SUBPART A: LICENSED PROFESSIONAL COUNSELOR

Section	
1375.10	Temporary License as a Professional Counselor
1375.20	How to Obtain a Permanent License as a Professional Counselor After Receiving a Temporary License
1375.30	Application for Examination/Permanent Licensure as a Professional Counselor
1375.40	Professional Experience - Professional Counselor
1375.50	Approved Professional Counseling Programs
1375.60	Examination - Professional Counselor
1375.70	Endorsement - Professional Counselor
1375.80	Restoration - Professional Counselor

SUBPART B: LICENSED CLINICAL PROFESSIONAL COUNSELOR

Section	
1375.100	Temporary License as a Clinical Professional Counselor
1375.110	How to Obtain a Permanent License as a Clinical Professional Counselor After Receiving a Temporary License
1375.120	Application for Examination/Permanent Licensure as a Clinical Professional Counselor
1375.130	Professional Experience - Clinical Professional Counselor
1375.135	Clinical Professional Counselor Licenses for Clinical Psychologists and Clinical Social Workers
1375.140	Approved Clinical Professional Counseling Programs
1375.150	Examination - Clinical Professional Counselor
1375.160	Endorsement - Clinical Professional Counselor
1375.170	Restoration - Clinical Professional Counselor

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

SUBPART C: GENERAL

Section	
1375.200	Renewals
1375.210	Inactive Status
1375.230	Granting Variances

AUTHORITY: Implementing the Professional Counselor and Clinical Professional Counselor Licensing Act (Public Act 87-1011, effective January 1, 1993) [225 ILCS 107] and authorized by Section 60(7) of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 60(7)) [20 ILCS 2105/60(7)].

SOURCE: Adopted at 18 Ill. Reg. _____ effective _____

SUBPART A: LICENSED PROFESSIONAL COUNSELOR

Section 1375.10 Temporary License as a Professional Counselor

- a) Any person seeking a temporary license without examination under Section 55 of the Professional Counselor and Clinical Professional Counselor Licensing Act (the Act) shall file an application with the Department of Professional Regulation (the Department) on forms provided by the Department. The application shall include the following:

- 1) Education/Experience
 - A) Certification of a minimum of a master's degree in counseling, rehabilitation counseling, psychology or a similar program approved by the Department in accordance with Section 1375.50 of this Part; or
 - B) Certification of a baccalaureate degree from a college, university or school recognized by the educational governing authority in the jurisdiction in which it is located and documentation of the equivalent of 3 years of full-time satisfactory supervised experience as a professional counselor:
 - i) An applicant shall document a total of 5040 hours of experience (one year of experience equals 1680 hours of on the job training);
 - ii) The supervisor shall document the experience as satisfactory or better;

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- iii) Supervised work experience, for purposes of this Section, shall entail services to individuals, couples, groups, families and organizations in any one or more of the fields of professional counseling defined in Section 10 of the Act.
 - iv) Qualified supervisors are those individuals who, at the time of supervision, were master's level or doctoral level counselors, licensed social workers, or licensed clinical social workers, licensed clinical psychologists or psychiatrists defined in Section 1-121 of the Mental Health and Developmental Disabilities Code or licensed clinical professional counselors.
 - v) An applicant may substitute, one time only, 15 semester hours or equivalent quarter hours of graduate courses related to counseling for one year of satisfactory supervised training.
- 2) A complete work history since graduation from college.
 - 3) The required fee specified in Section 60(a) of the Act.
 - 4) Certification of licensure, on forms provided by the Department, from the state or territory of the United States in which an applicant was originally licensed and the state in which the applicant predominantly practices and is currently licensed, if applicable, stating:
 - A) The time during which the applicant was licensed in that jurisdiction, including the date of the original issuance in that jurisdiction;
 - B) A description of the examination in that jurisdiction; and
 - C) Whether the file on the applicant contains any record of disciplinary actions taken or pending.
 - b) All temporary licenses will expire on September 5, 1998. Any holder of a temporary license who has not passed the examination and obtained a permanent professional counselor license by September 5, 1998, shall be required to submit a new application to the Department pursuant to Section 1375.30 and meet the requirements in effect at the time of reapplication.
 - c) The Department, upon recommendation of the Professional Counselor Examining

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

and Disciplinary Board (the Board), has determined that the educational and experience requirements of the following certifications meet the standards for an applicant to sit for the examination:

- 1) Illinois Alcohol and Other Drug Abuse Professional Certification Association, Inc. at the master's level (Certified Master AODA Counselor)
- 2) American Association of Marriage and Family Therapy (AAMFT)
- 3) School Counselor Type 75 issued by the Illinois State Board of Education
- 4) American Association of Pastoral Counselors Fellow or Diplomat
- 5) School Psychologist certified by the Illinois State Board of Education

An applicant who holds certification in any of the above groups needs to submit a copy of a current certification in lieu of the documents required in subsections (a)(1)(A) and (B) above.

- d) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department or the Board because of lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant seeking licensure shall be requested to:

- 1) Provide such information as may be necessary; and/or
- 2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information.

Section 1375.20 How to Obtain a Permanent License as a Professional Counselor After Receiving a Temporary License

- a) Any person holding a temporary license as a professional counselor shall pass an examination specified in Section 1375.60 to qualify for a permanent license. The examination shall be passed by midnight September 5, 1998, when all temporary licenses expire, regardless of when they were issued.
- b) Any person who obtained a temporary license as a professional counselor with a baccalaureate and 3 years of experience under Section 1375.10(a)(1)(B) must

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

document the equivalent of an additional 2 years of full-time supervised work to become eligible to take the examination for a permanent license.

- 1) One year of experience shall be a minimum of 1680 hours with a minimum of 3 hours per week of supervision. Two years equals 3360 hours.
- 2) Supervised work experience, for purposes of this Section, shall entail services to individuals, couples, groups, families and organizations in any one or more of the fields of professional counseling defined in Section 10 of the Act.
- 3) Acceptable supervisors are those individuals who, at the time of supervision, were master's level or doctoral level counselors, licensed social workers, or licensed clinical social workers, licensed clinical psychologists or psychiatrists defined in Section 1-121 of the Mental Health and Developmental Disabilities Code or licensed clinical professional counselors.
- 4) The experience shall have been evaluated by the supervisor as satisfactory or better.
- c) To sit for the examination, all applicants shall submit an application form provided by the Department, along with the examination fee, to the designated testing service.
- d) If an applicant passed an examination pursuant to Section 1375.60(b) prior to September 1998, the applicant shall have the examination scores submitted to the Department directly from the testing service.
- e) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department or the Board because of lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant seeking licensure shall be requested to:
 - 1) Provide such information as may be necessary; and/or
 - 2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information.
- f) Upon notification to the Department by the testing service that the applicant has passed the examination and the submission by the applicant of the required fee set

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

forth in Section 60 of the Act, the permanent professional counselor license may be issued.

Section 1375.30 Application for Examination/Permanent Licensure as a Professional Counselor

a) Each applicant seeking original licensure under Section 35 of the Act shall file an application with the Department, on forms provided by the Department, at least 90 days prior to an examination date. The application shall include:

- 1) Certification of graduation and or an official transcript from a master's or doctoral degree program in counseling, rehabilitation counseling or similar degree program approved by the Department in accordance with Section 1375.50 of this Part; or
- 2) Certification of graduation and an official transcript from a baccalaureate program in human services or similar degree program approved by the Department in accordance with Section 1375.50 of this Part and documentation of completion of 5 years of supervised professional experience in accordance with Section 1375.40 of this Part.

3) A complete work history since receipt of a baccalaureate, master's or doctorate degree.

4) The required fee set forth in Section 60 of the Act.

5) Certification of licensure, on forms provided by the Department, from the state or territory of the United States in which an applicant was originally licensed and the state in which the applicant predominantly practices and is currently licensed, if applicable, stating:

- A) The time during which the applicant was licensed in that jurisdiction, including the date of the original issuance in that jurisdiction;
- B) A description of the examination in that jurisdiction; and
- C) Whether the file on the applicant contains any record of disciplinary actions taken or pending.

b) Individuals applying for licensure as a professional counselor may submit current

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

certification (based on examination), in lieu of the documents required in subsection (a)(1) and (2), from one of the following organizations:

- 1) Certified Clinical Mental Health Counselor (CCMHC)
- 2) Commission on Rehabilitation Counselor Certification (CRC)
- 3) Nationally Certified Career Counselors through National Board for Certified Counselors (NBCC)
- 4) Nationally Certified School Counselors (NCSC) through NBCC
- 5) National Certified Counselor (NCC)
- 6) Nationally Certified Gerontological Counselor (NCGC) through NBCC

An applicant submitting one of the certifications listed above will not be required to take and pass an additional examination administered by the Department. The Department, upon recommendation of the Board, has determined that the education, experience and examination requirements are equivalent to the requirements for licensure as a professional counselor.

c) The Department, upon recommendation of the Board, has determined that the educational and experience requirements of the following certifications meet the standards for an applicant to sit for the examination:

- 1) Illinois Alcohol and Other Drug Abuse Professional Certification Association, Inc. at the master's level (Certified Master AODA Counselor) (IODAPCA) level
- 2) Clinical Member of the American Association of Marriage and Family Therapy (AAMFT)
- 3) School Counselor Type 75 issued by the Illinois State Board of Education
- 4) Fellow or Diplomate of the American Association of Pastoral Counselors (AAPC)
- 5) School Psychologist certified by the Illinois State Board of Education

An applicant who holds certification in any of the above groups needs to submit

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

a copy of a current certification in lieu of the documents required in subsections (a)(1) and (2) above.

- d) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department or the Board because of lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant seeking licensure shall be requested to:

- 1) Provide such information as may be necessary; and/or
- 2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information.

Section 1375.40 Professional Experience - Professional Counselor

- a) Persons applying for licensure as professional counselors who hold a baccalaureate degree in human services or similar degree program which meets the requirements set forth in Section 1375.50, except for those applying for temporary licenses under provisions set forth in Section 1375.10 of this Part, shall be required to complete 5 years of satisfactory supervised professional experience as follows:

- 1) One year of experience shall be a minimum of 1680 hours obtained in not less than 48 weeks.
- 2) 15 semester hours or equivalent quarter hours of graduate courses related to counseling may be substituted one time for one year of work experience.
- 3) For purposes of this subsection, supervised experience shall be experience obtained under a qualified supervisor and entail the provision of services to individuals, couples, groups, families and organizations in any one or more of the fields of professional counseling defined in Section 10(e)(1), (2) and (3) of the Act.

- A) On or before December 31, 1998, a qualified supervisor means any person who is a master's level or doctoral level counselor, licensed clinical professional counselor, licensed clinical social worker, certified social worker, licensed clinical psychologist or psychiatrist as defined in Section 1-121 of the Mental Health and Developmental Disabilities Code.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- B) Beginning January 1, 1999, a qualified supervisor means any person who is a licensed clinical professional counselor, licensed clinical social worker, certified social worker, licensed clinical psychologist, or psychiatrist as defined in Section 1-121 of the Mental Health and Developmental Disabilities Code. If supervision took place outside Illinois, the supervisor shall be a master's level or doctoral level counselor engaged in clinical professional counseling. The supervisor shall hold a license if the jurisdiction in which the supervisor practices requires licensure.

- C) The supervisor shall have met with the applicant at least one hour each week.
- D) The experience shall have been evaluated by the supervisor as satisfactory or better.
- E) The supervisor may be provided at the applicant's place of work or may be hired by the applicant to provide supervision.

- b) A person holding a master's degree or doctorate in the field of counseling, rehabilitation counseling, psychology or similar degree program shall not be required to document experience to qualify for licensure as a professional counselor.

Section 1375.50 Approved Professional Counseling Programs

- a) The Department shall, upon the recommendation of the Professional Counselor Examining and Disciplinary Board, approve baccalaureate programs in human services or similar degree programs at the baccalaureate level, counseling, rehabilitation counseling, psychology, or similar degree programs at the master's or doctoral level.

- 1) The institution is a regionally accredited institution of higher education;
- 2) The program, wherever it may be administratively housed, must be clearly identified and labeled as offering counseling, rehabilitation counseling, psychology or similar programs. Such a program must specify in institutional catalogues and brochures its intent to educate and train counselors;
- 3) The program is an organizational entity within the institution;

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 4) The program has an integrated, organized sequence of study which meets the following requirements:
 - A) On or before December 31, 1998, the program shall require an individual to complete a minimum of 30 semester hours or equivalent quarter hours in any of the following 13 core areas:
 - i) Human Growth and Development and Maladaptive Behavior
 - ii) Counseling Theory
 - iii) Counseling Techniques
 - iv) Group Dynamics, Processing and Counseling
 - v) Appraisal of Individuals
 - vi) Research and Evaluation
 - vii) Professional, Legal and Ethical Responsibilities relating to professional counseling, especially as related to Illinois law
 - viii) Social and Cultural Foundations
 - ix) Lifestyle and Career Development
 - x) Practicum
 - xi) Counseling Education
 - xii) Counseling Supervision
 - xiii) Counseling Administration
 - B) Beginning January 1, 1999, the program shall be at least 2 academic years in length and must require an individual to complete a minimum of 48 semester hours or equivalent quarter hours with one three hour course in at least 10 of the 15 core areas listed below:
 - i) Human Growth and Development and Maladaptive Behavior

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- ii) Counseling Theory
 - iii) Counseling Techniques
 - iv) Group Dynamics, Processing and Counseling
 - v) Appraisal of Individuals
 - vi) Research and Evaluation
 - vii) Professional, Legal and Ethical Responsibilities relating to professional counseling, especially as related to Illinois law
 - viii) Social and Cultural Foundations
 - ix) Lifestyle and Career Development
 - x) Practicum
 - xi) Counseling Education
 - xii) Counseling Supervision
 - xiii) Counseling Administration
 - xiv) Family Dynamics
 - xv) Psychopathology
 - xvi) Substance Abuse
- 5) The program has faculty responsible for the program and has a sufficient number of full-time instructors to make certain that the educational obligations to the student are fulfilled.
 - 6) The program has an identifiable body of students who are matriculated in that program for a degree.
 - b) Reevaluation of an Approved Program

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 1) The Department may reevaluate any approved program at any time if it has reason to believe that the program has failed to continue to satisfy the minimum requirements of this Section or that the Department's decision to approve a program was based on upon false, deceptive or incomplete information.
- 2) A program whose approval is being reevaluated by the Department shall be given at least 15 days written notice prior to any recommendation by the Board and may either submit written comments or request a hearing before the Board.
- c) For the purposes of this Section, course shall be defined as an integrated, organized course of study which encompasses a minimum of one school term. No correspondence courses may be used to satisfy the 13 core courses.
- d) The Department, upon recommendation of the Board, has determined that all master's degree and doctoral programs in professional counseling that are accredited by the Council for Accreditation of Counseling and Related Educational Programs (CACREP) and the Council on Rehabilitation Education (CORE) are approved. All doctoral programs in psychology of the American Psychological Association are approved.
- e) Individuals applying for licensure as a professional counselor who have not graduated from a program approved by the Department shall submit their transcripts and program materials to the Department for evaluation by the Board to determine if they meet the requirements of this Section.

f) Individuals applying for licensure who are deficient in any of the core content areas in subsection (a)(4) above may complete any one or all of these courses in a counseling, rehabilitation counseling, psychology or similar degree program from an accredited institution. The applicant will be required to submit proof to the Department that he/she has passed such a course(s). Proof may include, but not be limited to, transcripts, curriculum and course materials.

Section 1375.60 Examination - Professional Counselor

- a) The examination administered by the Department for licensure as a professional counselor shall be the National Counselor Examination (NCE) of the National Board for Certified Counselors (NBCC).

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- b) The passing score on the examination shall be the passing score established by the testing entity.
- c) The Department also shall accept passage of the Certified Rehabilitation Counselor Examination of the Commission on Rehabilitation Counselor Certification (CRCC) and the Certified Clinical Mental Health Counselor (CCMHC)
- d) The Department shall accept the National Counselor Examination (NCE) taken and passed, according to Department standards, in another jurisdiction.

Section 1375.70 Endorsement - Professional Counselor

- a) Each applicant seeking licensure under Section 70 of the Act shall file an application with the Department on forms provided by the Department. The application shall include:
 - 1) Certification of graduation and an official transcript from a master's or doctoral degree program in counseling, rehabilitation counseling or similar degree program approved by the Department in accordance with Section 1375.50 of this Part; or
 - 2) Certification of graduation and an official transcript from a baccalaureate program in human services or similar degree program approved by the Department in accordance with Section 1375.50 of this Part and documentation of completion of 5 years of supervised professional experience in accordance with Section 1375.40 of this Part;
- 3) A complete work history since receipt of a baccalaureate, master's or doctorate degree;
- 4) Successful completion of the professional counselor examination set forth in Section 1375.60 of this Part;
- 5) The required fee set forth in Section 60(a) of the Act.
- 6) Certification, on forms provided by the Department, from the state or territory of the United States in which the applicant was originally licensed and the state in which the applicant is currently licensed, if applicable, stating:
 - A) The time during which the applicant was licensed in that jurisdiction,

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

including the date of the original issuance of the license;

- B) A description of the examination in that jurisdiction; and
 - C) Whether the file on the applicant contains any record of disciplinary actions taken or pending.
- b) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department or the Board because of lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant seeking licensure shall be requested to:
- 1) Provide such information as may be necessary; and/or
 - 2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information.

Section 1375.80 Restoration - Professional Counselor

- a) Any professional counselor whose license has expired or has been placed on inactive status for 5 years or less may have the license restored by paying the fees required by Section 60(c) of the Act.
- b) Any person seeking restoration of a license that has been expired or placed on inactive status for more than 5 years shall file an application, on forms supplied by the Department together with the fee required by Section 60(d) of the Act. The applicant shall also submit either:

- 1) Certification of active practice in another jurisdiction. Such certification shall include a statement from the appropriate board or licensing authority in the other jurisdiction that the licensee was authorized to practice during the term of said active practice; or
- 2) An affidavit attesting to military service as provided in Section 60(d) of the Act; or
- 3) Proof of passage of the National Counselor Examination (NCE), the Certified Rehabilitation Counselor Examination or the Certified Clinical Mental Health Counselor (CCMHC) during the period the license was lapsed or on inactive

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

status.

- c) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department because of a lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant seeking restoration of a license shall be required to:
- 1) Provide such information as may be necessary; and/or
 - 2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information. Upon recommendation of the Board and approval by the Department, an applicant shall have the license restored.

SUBPART B: LICENSED CLINICAL PROFESSIONAL COUNSELOR

Section 1375.100 Temporary License as a Clinical Professional Counselor

- a) Any person seeking a temporary clinical professional counselor license without examination under Section 55 of the Professional Counselor and Clinical Professional Counselor Licensing Act shall file an application with the Department on forms provided by the Department. The application shall include the following:
 - 1) Certification of a minimum of a master's degree in the field of counseling, rehabilitation counseling, psychology or similar program approved by the Department in accordance with Section 1375.140 of this Part;
 - 2) Documentation of the equivalent of one unit of acceptable experience.
- A) One unit of acceptable experience is either:
- i) One year of full-time clinical professional counseling experience under the direction of a qualified supervisor. A qualified supervisor is any person who is a master's level or doctoral level counselor, a licensed clinical professional counselor, certified social worker or licensed clinical social worker, licensed/registered clinical psychologist, psychiatrist as defined in Section 1-121 of the Mental Health and Developmental Disabilities Code.
 - ii) Two years of clinical professional counseling experience independent

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

of the direction of a qualified supervisor.

- iii) A qualified supervisor may be provided at the applicant's place of work, or may be hired by the applicant to provide supervision.
- B) One year of full-time experience equals 1680 hours;
- C) The unit requirements for this Section may be satisfied by supervised experience, independent experience or a combination of supervised and independent experience.
- 3) A complete work history since completion of a master's degree program;
- 4) The required fee specified in Section 60(a) of the Act; and
- 5) Certification of licensure, on forms provided by the Department, from the state or territory of the United States in which an applicant was originally licensed and the state in which the applicant predominantly practices and is currently licensed, if applicable, stating:
 - A) The time during which the applicant was licensed in that jurisdiction, including the date of the original issuance in that jurisdiction;

B) A description of the examination in that jurisdiction; and

C) Whether the file on the applicant contains any record of disciplinary actions taken or pending.

b) All temporary licenses will expire on September 5, 1998. Any holder of a temporary clinical professional counselor license who has not passed the examination and obtained a permanent clinical professional counselor license by September 5, 1998, shall be required to submit a new application to the Department pursuant to Section 1375.120 and meet the requirements in effect at the time of reapplication.

c) The Department, upon recommendation of the Board, has determined that individuals who hold a Certified Master AODA Counselor (CMADC) certification from the Illinois Alcohol and Other Drug Abuse Professional Certification Association (IODAPCA) meet the education and experience requirements to be eligible to sit for the examination. An applicant shall submit a CMADC

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

certification from IODAPCA in lieu of the documents required in subsection (a)(1) and (2). Applicants will be required to pass the examination set forth in Section 1375.150.

d) The Department, upon recommendation of the Board, has determined that the individuals who hold a current certification from the following groups meet the education requirements to be eligible to sit for the examination.

- 1) Clinical Member of the American Association for Marriage Therapy (AAMFT)
- 2) Fellow or Diplomat of the American Association of Pastoral Counselors (AAPC)
- 3) School Counselor certified by the Illinois State Board of Education
- 4) School Psychologist certified by the Illinois State Board of Education

Applicants shall submit a current certification from one of the above entities in lieu of the certification of education in subsection (a)(1). Applicants will need to submit proof of experience and pass the examination set forth in Section 1375.150.

e) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department or the Board because of lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant seeking licensure shall be requested to:

- 1) Provide such information as may be necessary; and/or
- 2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information.

Section 1375.110 How to Obtain a Permanent License as a Clinical Professional Counselor After Receiving a Temporary License

Any person holding a temporary license as a clinical professional counselor shall pass an examination specified by the Department to qualify for a permanent license. The examination shall be passed by September 5, 1998, when all temporary licenses expire, regardless of when they were issued.

a) Any person who obtained a temporary clinical professional counselor will be required to submit proof of an additional one unit of acceptable experience.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

1) For the purposes of this Section only, one unit of acceptable experience shall be either:

- A) The equivalent of one year of full-time work experience under the direction of a qualified supervisor; or
- B) The equivalent of 2 years of work experience independent of the direction of a qualified supervisor.

2) The specified experience may be obtained as follows:

- A) One year of experience shall be a minimum of 1680 hours obtained in not less than 48 weeks.
- B) For purposes of this subsection, acceptable supervisors are those who at the time of supervision were master's level or doctoral level counselors, licensed clinical professional counselor, certified social workers or licensed clinical social workers, registered clinical psychologists or licensed clinical psychologists or psychiatrists as defined in Section 1-121 of the Mental Health and Developmental Disabilities Code. One of the 2 years of supervision may be provided by a certified rehabilitation counselor.

C) The supervisor shall have met with the applicant at least one hour each week.

D) The experience shall have been evaluated by the supervisor as satisfactory.

E) The unit requirements for this subsection may be satisfied by supervised experience, independent experience or a combination of supervised and independent experience.

3) To sit for the examination, the applicant shall submit an application form provided by the Department, along with the examination fee to the designated testing service. Upon notification to the Department by the testing service that the applicant has passed the examination and the submission by the applicant of the required fee set forth in Section 60 of the Act, the permanent clinical professional counselor license shall be issued.

Section 1375.120 Application for Examination/Permanent Licensure as a Clinical Professional Counselor

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

a) Each application seeking original licensure under Section 35 of the Act shall file an application with the Department, on forms provided by the Department, at least 90 days prior to an examination date. The application shall include:

- 1) Certification of graduation and an official transcript from a master's degree in counseling, rehabilitation counseling, psychology or similar degree program as defined in Section 1375.140 of this Part and has completed the equivalent of 2 years full-time satisfactory supervised employment or experience working as a clinical professional counselor under the direction of a qualified supervisor, subsequent to the degree, as defined in Section 1375.130 of this Part; or
- 2) Certification of graduation and an official transcript from a doctoral degree in counseling, rehabilitation counseling, psychology or similar degree program as defined in Section 1375.140 of this Part and shall have completed the equivalent of 2 years of full-time satisfactory supervised experience working as a clinical professional counselor under the direction of a qualified supervisor, as defined in Section 10 of the Act, at least one year of which is subsequent to the degree.

3) A complete work history since graduation from the first qualifying degree program.

4) The fee required in Section 60(a) of the Act.

5) Certification of licensure, on forms provided by the Department, from the state or territory of the United States in which an applicant was originally licensed and the state in which the applicant predominantly practices and is currently licensed, if applicable, stating:

- A) The time during which the applicant was licensed in that jurisdiction, including the date of the original issuance in that jurisdiction;
- B) A description of the examination in that jurisdiction; and
- C) Whether the file on the applicant contains any record of disciplinary actions taken or pending.

b) The Department, upon recommendation of the Board, has determined that individuals who hold the certification of a Certified Clinical Mental Health

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

Counselor (CCMHC) based on examination meet the education, experience and examination requirements for licensure as a Clinical Professional Counselor.

- c) The Department, upon recommendation of the Board, has determined that individuals who hold a Certified Master AODA Counselor (CMADC) certification from the Illinois Alcohol and Other Drug Abuse Professional Certification Association (IODAPCA) meet the education and experience requirements to be eligible to sit for the examination. An applicant shall submit a CMADC certification from IODAPCA in lieu of the documents required in subsections (a)(1) and (2). Applicants will be required to pass the examination set forth in Section 1375.150.

- d) The Department, upon recommendation of the Board, has determined that the individuals who hold a current certification from the following groups meet the education requirements to be eligible to sit for the examination.

- 1) Clinical Member of the American Association for Marriage Therapy (AAMFT)
- 2) Fellow or Diplomat of the American Association of Pastoral Counselors (AAPC)
- 3) School Counselor certified by the Illinois State Board of Education
- 4) School Psychologist certified by the Illinois State Board of Education

An applicant shall submit the certification in lieu of the documents required for education. The applicant shall submit proof of experience and pass the examination set forth in Section 1375.150.

- e) The Department, upon recommendation of the Board has determined that individuals who hold certification from Certified Rehabilitation Counselor (CRC) meet the education and examination requirements for licensure. Proof of experience would need to be submitted.

- f) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department or the Board because of lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant seeking licensure shall be requested to:

- 1) Provide such information as may be necessary; and/or

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information.

Section 1375.130 Professional Experience - Clinical Professional Counselor

- a) A person holding a master's degree in counseling, rehabilitation counseling, psychology or similar degree program shall have completed the equivalent of 2 years of full-time satisfactory supervised experience working as a clinical professional counselor under the direction of a qualified supervisor subsequent to the degree.

- b) A person holding a doctorate in counseling, rehabilitation counseling, psychology or similar degree program shall have completed the equivalent of 2 years of full-time satisfactory supervised experience working as a clinical professional counselor under the direction of a qualified supervisor at least one year of which is subsequent to the degree. Internship may count as one year of experience.

- c) On or before December 31, 1998, a qualified supervisor means any person who is a master's level or doctoral level counselor, licensed clinical professional counselor, licensed clinical social worker, certified social worker, licensed clinical psychologist or psychiatrist as defined in Section 1-121 of the Mental Health and Developmental Disabilities Code.

- d) Beginning January 1, 1999, a qualified supervisor means any person who is a licensed clinical professional counselor, licensed clinical social worker, licensed clinical psychologist, or psychiatrist as defined in Section 1-121 of the Mental Health and Developmental Disabilities Code. If supervision took place outside Illinois, the supervisor shall be a master's level or doctoral level counselor engaged in clinical professional counseling. The supervisor shall hold a license if the jurisdiction in which the supervisor practices requires licensure.

- e) The experience may be obtained as follows:

- 1) One year of experience shall be a minimum of 1680 hours obtained in not less than 48 weeks including 960 hours of direct face to face service to clients.
- 2) For purposes of this Section, supervised experience shall be experience obtained under a qualified supervisor as defined in Section 10 of the Act and

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

entail the provision of professional counseling and mental health services defined in Section 10 of the Act.

- A) The supervisor shall have met with the applicant at least one hour each week. The supervision means the review of counseling and case management.
- B) The experience shall have been evaluated by the supervisor as satisfactory or better.
- 3) Face to face supervision does not include mail, telefax, phone or other such electronic devices.
- 4) Acceptable modes for supervision of direct client contact are as follows:
 - A) Individual supervision: the supervisory session is conducted by an approved supervisor with one or two counselors present.
 - B) Group supervision: the supervisory session is conducted by an approved supervisor with no more than 10 counselors present.
- 5) The counseling activities must be performed pursuant to the supervisor's order, control, oversight, guidance and full professional responsibility.
- 6) A qualified supervisor may be provided at the applicant's place of work or may be hired by the applicant to provide supervision.

7) The following activities are not acceptable clinical supervision:

- A) Peer supervision.
- B) Administrative supervision. For example, clinical practice performed under administrative rather than clinical supervision of an institutional director or executive.
- C) A primarily didactic process wherein techniques or procedures are taught in a classroom, workshop or seminar.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- D) Consultation, staff development, or orientation to a field or program, or role-playing of family interrelationships as a substitute for current clinical practice in an appropriate clinical situation.

Section 1375.135 Clinical Professional Counselor Licenses for Clinical Psychologists and Clinical Social Workers

An individual who holds an active license as a clinical psychologist in Illinois pursuant to the Clinical Psychologist Licensing Act (Ill. Rev. Stat. 1991, ch. 111, pars. 5351 et seq.) [225 ILCS 15] or as a clinical social worker pursuant to the Clinical Social Work and Social Practice Act (Ill. Rev. Stat. 1991, ch. 111, pars. 6351 et seq.) [225 ILCS 20] shall be issued a license as a clinical professional counselor without examination as provided in Section 45(d) of the Act upon payment of the fee required in Section 60(a) of the Act.

Section 1375.140 Approved Clinical Professional Counseling Programs

- a) The Department shall, upon the recommendation of the Professional Counselor Examining and Disciplinary Board, approve counseling, rehabilitation counseling, psychology or similar degree programs at the master or doctoral level if the program meets the following requirements.
 - 1) The institution is a regionally accredited institution of higher education. Doctoral degrees shall be accredited by an accrediting agency recognized by the U.S. Department of Education.
 - 2) The program, wherever they may be administratively housed, must be clearly identified and labeled as offering counseling, rehabilitation counseling or psychology programs. Such a program must specify in institutional catalogues and brochures its intent to educate and train counselors.
 - 3) The program is an organizational entity within the institution.
 - 4) The program has an integrated, organized sequence of study which meets the following requirements:
 - A) On or before December 31, 1998, the program shall be 2 academic years and shall require an individual to complete a minimum of 30 semester hours or equivalent quarter hours in any of the following 13 core areas:
 - i) Human Growth and Development and Maladaptive Behavior

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- ii) Counseling Theory
 - iii) Counseling Techniques
 - iv) Group Dynamics, Processing and Counseling
 - v) Appraisal of Individuals
 - vi) Research and Evaluation
 - vii) Professional, Legal and Ethical Responsibilities relating to professional counseling, especially as related to Illinois law
 - viii) Social and Cultural Foundations
 - ix) Lifestyle and Career Development
 - x) Practicum
- B) Beginning January 1, 1999, the program must be 2 academic years in length and require an individual to complete a minimum of 48 semester hours or equivalent quarter hours with a minimum of one course in each of the following areas:
- i) Human Growth and Development and Maladaptive Behavior
 - ii) Counseling Theory
 - iii) Counseling Techniques
 - iv) Group Dynamics, Processing and Counseling
 - v) Appraisal of Individuals
 - vi) Research and Evaluation
 - vii) Professional, Legal and Ethical Responsibilities relating to professional counseling, especially as related to Illinois law
 - viii) Social and Cultural Foundations

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- ix) Lifestyle and Career Development
 - x) Practicum/Internship
 - xi) Substance Abuse
 - xii) Maladaptive Behavior and Psychopathology
 - xiii) Family Dynamics
- 5) The program has faculty responsible for the program and has a sufficient number of full-time instructors to make certain that the educational obligations to the student are fulfilled. The faculty must have degrees in their area(s) of teaching from professional colleges and institutions;
- 6) The program has an identifiable body of students who are matriculated in that program for a degree;
- b) Reevaluation of an Approved Program
- 1) The Department may reevaluate any approved program at any time if it has reason to believe that the program has failed to continue to satisfy the minimum requirements of this Section or that its decision was based upon false, deceptive or incomplete information.
- 2) A program whose approval is being reevaluated by the Department shall be given at least 15 days written notice prior to any recommendation by the Committee and may either submit written comments or request of hearing before the Committee.
- c) For the purposes of this Section, course shall be defined as an integrated, organized course of study that encompasses a minimum of one school term. No correspondence courses may be used to satisfy the core courses.
- d) The Department, upon recommendation of the Board, has determined that all master's degree and doctoral programs in professional counseling that are accredited by the Council for Accreditation of Counseling and Related Educational Programs (CACREP), the Council on Rehabilitation Education (CORE) and doctoral programs in psychology approved by the American Psychological Association are approved programs.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- e) Individuals applying for licensure as a clinical professional counselor who have not graduated from a master's or doctoral program approved by the Department shall submit their transcripts and program materials to the Department for evaluation by the Board to determine if they meet the requirements of this Section.
- f) Individuals applying for licensure above who are deficient in any of the content areas set forth in subsection (a)(4) may complete any one or all of these courses in a counseling program. The applicant will be required to submit proof to the Department that he or she has passed such a course(s) and/or the experience. Proof shall include, but not be limited to, curriculum, practicum, and program materials, internship handbook and course materials.

Section 1375.150 Examination - Clinical Professional Counselor

- a) Prior to September 5, 1998, the examination for licensure as a clinical professional counselor shall be the National Certified Mental Health Counselor Examination (NCMHCE).
- b) After September 5, 1998, the examination for licensure as a clinical professional counselor shall be the National Counselor Examination (the Examination) of the National Board for Certified Counselors (NBCC) and the National Certified Mental Health Counselor Examination (NCMHCE).
- c) The passing score on the examination shall be the passing score established by the testing entity.
- d) The Department also shall accept passage of the Certified Rehabilitation Counselor Examination of the Commission on Rehabilitation Counselor Certification (CRCC).

Section 1375.160 Endorsement - Clinical Professional Counselor

- a) Each applicant seeking licensure as a clinical professional counselor who under Section 70 of the Act shall file an application with the Department on forms provided by the Department. The application shall include:
 - 1) Certification of graduation and an official transcript from a master's degree program in counseling, rehabilitation counseling, psychology or similar degree program approved by the Department in accordance with Section 1375.140 of this Part and documentation of completion of 2 years of supervised professional

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

experience in accordance with Section 1375.130 of this Part, subsequent to the degree; or

- 2) Certification of graduation and an official transcript from a doctoral degree program in counseling, rehabilitation counseling, psychology or similar degree program approved by the Department in accordance with Section 1375.140 of this Part and documentation of completion of 2 years of supervised professional experience in accordance with Section 1375.130 of this Part, at least one year of which is subsequent to the degree.
- 3) A complete work history since receipt of the master's or doctorate degree.
- 4) Successful completion of the clinical professional counseling examination set forth in Section 1375.150 of this Part.
- 5) A copy of the Act and Rules in effect at the time of original licensure.
- 6) The required fee set forth in Section 60(l) of the Act.
- 7) Certification of licensure, on forms provided by the Department, from the state or territory of the United States in which an applicant was originally licensed and the state in which the applicant predominantly practices and is currently licensed, if applicable, stating:
 - A) The time during which the applicant was licensed in that jurisdiction, including the date of the original issuance in that jurisdiction;
 - B) A description of the examination in that jurisdiction; and
 - C) Whether the file on the applicant contains any record of disciplinary actions taken or pending.

- b) The Department, upon recommendation of the Professional Counselor Licensing and Disciplinary Board (the Board), shall issue a license if a review of the application indicates that the application meets the requirements set forth in subsections (a)(1) or (2) above.

Section 1375.170 Restoration - Clinical Professional Counselor

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

a) Any clinical professional counselor whose license has expired or has been placed on inactive status for 5 years or less may have the license restored by paying the fees required by Section 60(c) of the Act.

b) Any person seeking restoration of a license that has been expired or placed on inactive status for more than 5 years shall file an application, on forms supplied by the Department together with the fee required by Section 60(d) of the Act. The applicant shall also submit either:

1) Certification of active practice in another jurisdiction. Such certification shall include a statement from the appropriate board or licensing authority in the other jurisdiction that the licensee was authorized to practice during the term of said active practice; or

2) An affidavit attesting to military service as provided in Section 60(d) of the Act; or

3) Proof of passage of the National Counselor Examination (NCE), the Certified Rehabilitation Counselor Examination or the Certified Clinical Mental Health Counselor (CCMHC) during the period the license was lapsed or on inactive status.

c) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department because of a lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant seeking restoration of a license shall be required to:

1) Provide such information as may be necessary; and/or

2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information. Upon recommendation of the Board and approval by the Department, an applicant shall have the license restored.

SUBPART C: GENERAL

Section 1375.200 Renewals

a) The first renewal period for licensure under the Act shall be March 31, 1997. Thereafter, every license issued under the Act shall expire on March 31 of odd

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

numbered years. The holder of a license may renew such license during the month preceding the expiration date by paying the fee set forth in Section 60(d) of the Act.

b) It is the responsibility of each licensee to notify the Department of any change of address. Failure to receive a renewal form from the Department shall not constitute an excuse for failure to pay the renewal fee or to renew one's license.

c) Practicing or offering to practice on a license that has expired shall be considered unlicensed activity and shall be grounds for discipline pursuant to Section 80 of the Act.

Section 1375.210 Inactive Status

a) Licensed professional counselors and clinical professional counselors who notify the Department, on forms provided by the Department, may place their licenses on inactive status and shall be excused from paying renewal fees until they notify the Department in writing of the intention to resume active practice.

b) Any licensed professional counselor and clinical professional counselor seeking restoration from inactive status shall do so in accordance with Section 1275.80 or 1275.170 of this Part.

c) Any professional counselor and clinical professional counselor whose license is on inactive status shall not use the title "licensed professional counselor" or "licensed clinical professional counselor". Any person violating this subsection shall be considered to be practicing without a license and shall be subject to the disciplinary provision of the Act.

Section 1375.230 Granting Variances

a) The Director of the Department may grant variances from this Part in individual cases when he/she finds that:

- 1) The provision from which the variance is granted is not statutorily mandated;
- 2) No party will be injured by the granting of the variance; and
- 3) The rule from which the variance is granted would, in the particular case, be unreasonable or unnecessarily burdensome.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- b) The Director shall notify the Board of the granting of such variance, and the reasons therefor, at the next meeting of the Board.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part:

Lead Poisoning Prevention Code

2) Code Citation:

77 Ill. Adm. Code 845

3) Section Numbers:

845.10
845.12
845.26
845.28
845.29
845.30
845.31
845.32
845.33
845.50
845 Appendix E

Proposed Action:

Amendment
New Section
Amendment
Amendment
Amendment
Amendment
New Section
New Section
New Section
Amendment
Amendment

4) Statutory Authority:

Implementing and authorized by the Lead Poisoning Prevention Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1301 et seq.) [410 ILCS 45].

5) A Complete Description of the Subjects and Issues Involved:

This rulemaking implements Public Act 87-1144 (HB 3638) by prescribing licensure standards for lead contractors, contractor/supervisors and workers. These requirements include application and examination procedures, licensure fees, license revocation provisions, and approved content for required training courses. The rulemaking also specifies the procedures that will be followed by the Department or delegate agency in requiring mitigation of a lead hazard, when such a hazard is found to exist through an environmental inspection. Time limits and procedures for mitigation of identified lead hazards are specified in the rules, as well as information on what constitutes a mitigated lead hazard. The rules also indicate that lead abatement may be necessary in certain instances when mitigation is impractical or insufficient. In addition, the rules mention circumstances in which lead mitigation or abatement are not required.

6) Will this Rulemaking Replace an Emergency Rule Currently in Effect?

Yes ☐ No ☒

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

7) Does this Rulemaking Contain an Automatic Repeal Date? Yes No ✓

If "yes," please specify the date:

8) Does this Rulemaking Contain Any Incorporations By Reference?

Yes No ✓

If "yes," please specify type: 6.02(a) or 6.02(b)

9) Are there any other Proposed Amendments Pending on this Part?

Yes No ✓

If Yes:

Section Numbers	Proposed Action	Ill. Reg. Citation
-----------------	-----------------	--------------------

10) Statement of Statewide Policy Objectives:

11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking:

Interested persons may present their comments concerning these rules by writing to Gail M. DeVito, Division of Governmental Affairs, Illinois Department of Public Health, 525 West Jefferson, Second Floor, Springfield, Illinois 62761, within 45 days after this issue of the Illinois Register.

These rules may have an impact on small businesses. In accordance with Sections 3.01 and 4.03 of the Illinois Administrative Procedure Act, any small business may present their comments in writing to Gail M. DeVito at the above address.

Any small business (as defined in Section 3.10 of the Illinois Administrative Procedure Act) commenting on these rules should indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:

A) Date Rulemaking was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

B) Type of Small Businesses Affected:

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

Lead abatement contractors.

C) Reporting, Bookkeeping or Other Procedures Required for Compliance:

No new procedures required.

D) Types of Professional Skills Necessary for Compliance:

Technical.

The full text of the Proposed Amendments begins on the next page.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

TITLE 77: PUBLIC HEALTH
 CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
 SUBCHAPTER p: HAZARDOUS AND POISONOUS SUBSTANCES

PART 845
 LEAD POISONING PREVENTION CODE

Section	Definitions
845.10	Incorporated Materials
845.12	Lead Screening
845.15	Reporting
845.20	Laboratory Fees for Blood Lead Screening
845.23	Case Follow-Up
845.25	Inspection of Dwellings, Residential Buildings or Child Care Facilities
845.26	Lead Inspector, Worker, Contractor/Supervisor, and Contractor Licensing
845.28	Safety Guidelines for Workers Removing or Covering Lead Paint
845.29	Mitigation or Abatement of Lead Hazards
845.30	Lead Abatement Contractor Responsibilities
845.31	Lead Contractor/Supervisor Responsibilities
845.32	Dwellings Not Requiring Abatement or Mitigation
845.33	Approval of Units of Local Government or Health Departments as Delegate Agencies to Administer and Enforce the Lead Poisoning Prevention Act
845.40	Permissible Limits of Lead in and about Dwellings, Residential Buildings or Child Care Facilities
845.50	Placarding of Dwellings (Repealed)
845.60	Instructions for Childhood Blood Lead Poisoning Reporting System
Section 845: Appendix A	Instructions for Completing the Laboratory Based Report of Childhood Lead Poisoning
Exhibit A	Lead Poisoning
Exhibit B	Instructions for Submitting the Medical Follow-Up Data of Childhood Blood Lead Levels of 15 mcg/dl and Above
Exhibit C	Instructions for Reporting Information by Delegate Agencies on Environmental Inspection for Cases of 20 mcg/dl and Above
Section 845: Appendix B	Testing for Lead in Paint by Portable X-Ray Fluorescence Lead in Paint Analyzer (XRF)
Section 845: Appendix C	Testing for Lead Using a Spectrum Analyzer
Illustration A	Inspection Forms and Diagram of Building Components
Section 845: Appendix D	Recommended Setup and Use of a Negative Pressure System
Illustration A	Examples of Negative Pressure Systems
Section 845: Appendix E	Soil Sampling

AUTHORITY: Implementing and authorized by the Lead Poisoning Prevention Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1301 et seq.) [410 ILCS 45].

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

SOURCE: Adopted July 15, 1976; amended at 2 Ill. Reg. 43, effective October 23, 1978; rules repealed; new rules adopted and codified at 6 Ill. Reg. 14849, effective November 24, 1982; amended at 7 Ill. Reg. 7652, effective June 14, 1983; amended at 8 Ill. Reg. 8242, effective May 25, 1984; amended at 10 Ill. Reg. 5138, effective April 1, 1986; amended at 17 Ill. Reg. 1884, effective February 1, 1993; amended at 18 Ill. Reg. _____, effective _____.

Section 845.10 Definitions

"Act" means the Lead Poisoning Prevention Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1301 et seq.) or [410 ILCS 45].

"Chemical Spot Test" means the use of sodium rhodizonate to obtain a qualitative determination of lead.

"Child" means a person under the age of 16.

"CHILD CARE FACILITY" MEANS ANY STRUCTURE USED BY A CHILD CARE PROVIDER LICENSED BY THE DEPARTMENT OF CHILDREN AND FAMILY SERVICES OR PUBLIC SCHOOL STRUCTURE FREQUENTED BY CHILDREN UNDER 6 YEARS OF AGE. (Section 2 of the Act)

"Confirmed blood lead level" means that an elevated blood lead level is confirmed by a second blood lead test. A confirmed blood lead test for levels over 20 mcg/dl is a venous specimen.

"Defective Surface" means peeling, flaking, chalking, scaling or chipping paint; paint over crumbling, cracking or falling plaster or plaster with holes in it; paint over a defective or deteriorating substrate; or paint that is damaged in any manner such that a child can get paint from the damaged area.

"DELEGATE AGENCY" MEANS A UNIT OF LOCAL GOVERNMENT OR HEALTH DEPARTMENT APPROVED BY THE DEPARTMENT TO CARRY OUT THE PROVISIONS OF THE LEAD POISONING PREVENTION ACT. (Section 2 of the Act)

"DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH OF THE STATE OF ILLINOIS. (Section 2 of the Act)

"Director" Means the Director of the Department of Public Health of the State of Illinois.

"DWELLING" MEANS ANY STRUCTURE ALL OR PART OF WHICH IS DESIGNED OR USED FOR HUMAN HABITATION. (Section 2 of the Act)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

"Encapsulant" means any liquid applied product which covers, seals, or encapsulates a lead-based painted surface in a manner which is designed to reduce human exposure to lead.

"EXPOSED SURFACE" MEANS ANY INTERIOR OR EXTERIOR SURFACE OF A DWELLING OR RESIDENTIAL BUILDING. (Section 2 of the Act)

"Health Care Provider" means any person providing health care services to children, who is authorized pursuant to the Clinical Laboratory Act to request the testing of specimens, but does not include dentists. "Health Care Provider" includes podiatrists and physicians other than those licensed to practice medicine in all its branches.

"HEPA Vacuum Equipment" means vacuuming equipment with a high efficiency particulate air filter capable of trapping and retaining 99.97 percent of particles greater than 0.3 micrometers in mass median aerodynamic equivalent diameter.

"Intact surface" means a surface with no loose, peeling, chipping or flaking paint. Intact surfaces that are painted must be free from crumbling, cracking or falling plaster and should not have any holes. Intact surfaces must not be damaged in any way that would make paint from the damaged area accessible to children.

"Lead Abatement" means any activity that will result in the removal of windows, walls, floors, ceilings or exterior surfaces which may result in the creation of a hazardous level of leaded chips, flakes, dust or any other form of leaded substance that can be ingested or inhaled during such activity.

"Lead Abatement Contractor/Supervisor" means any person employed by a lead abatement contractor and licensed by the department to perform lead abatement and mitigation, and supervise lead abatement workers who perform lead abatement and mitigation.

"LEAD BEARING SUBSTANCE" MEANS ANY DUST ON SURFACES OR IN FURNITURE OR OTHER NONPERMANENT ELEMENTS OF THE DWELLING AND ANY PAINT OR OTHER SURFACE COATING MATERIAL CONTAINING MORE THAN FIVE-TENTHS OF ONE PERCENT (0.5%) LEAD BY WEIGHT (CALCULATED AS LEAD METAL) IN THE TOTAL NONVOLATILE CONTENT OF LIQUID PAINT. The term "lead bearing substance" also includes LEAD BEARING SUBSTANCES CONTAINING GREATER THAN ONE MILLIGRAM PER SQUARE CENTIMETER OR ANY LOWER STANDARD FOR LEAD CONTENT IN RESIDENTIAL PAINT AS MAY BE ESTABLISHED BY FEDERAL LAW OR REGULATION; OR MORE THAN 1 MILLIGRAM PER SQUARE CENTIMETER IN THE DRIED FILM OF PAINT OR PREVIOUSLY APPLIED SUBSTANCE; OR OBJECT CONTAINING LEAD IN EXCESS OF THE

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

AMOUNT SPECIFIED IN this Part OR A LOWER STANDARD FOR LEAD AS MAY BE ESTABLISHED BY FEDERAL REGULATION. (Section 2 of the Act)

"LEAD HAZARD" MEANS A LEAD BEARING SUBSTANCE THAT POSES AN IMMEDIATE HEALTH HAZARD TO HUMANS. (Section 2 of the Act)

"Lead Management Plan" means a written statement that describes how an intact surface with lead-based paint will be monitored to assure that, if the intact surface becomes defective, the defective surface will be abated or mitigated.

"Lead Mitigation" means the remediation of a lead hazard so that the lead bearing substance does not pose an immediate health hazard to humans. A lead hazard is deemed to have been mitigated if the surface that is the source of the lead hazard is no longer in a condition that produces a hazardous level of leaded chips, flakes, dust or any other form of leaded substances, that can be ingested or inhaled by humans; or if the leaded surface is accessible to children, the surface coating is covered or the access to the leaded surface by children is otherwise prevented.

"LEAD POISONING" MEANS THE CONDITIONS OF HAVING BLOOD LEAD LEVELS IN EXCESS OF THOSE CONSIDERED SAFE UNDER this Part (see "permissible limits") AND FEDERAL RULES AND REGULATIONS. (Section 2 of the Act)

"Local Health Department" means the health department or board of health as recognized by the Department which has jurisdiction over the particular geographical area in which the person lives.

"Notice" means any written notification, as specified in this Part, to be issued by the Department or a delegate agency.

"Occupant" means any person who lives in a dwelling as defined in this Part.

"OWNER" MEANS ANY PERSON, WHO ALONE, JOINTLY OR SEVERALLY WITH OTHERS:

HAS LEGAL TITLE TO ANY DWELLING OR RESIDENTIAL BUILDING, WITH OR WITHOUT ACCOMPANYING ACTUAL POSSESSION OF THE DWELLING OR RESIDENTIAL BUILDING, OR

HAS CHARGE, CARE OR CONTROL OF THE DWELLING OR RESIDENTIAL BUILDING AS OWNER OR AGENT OF THE OWNER, OR AS EXECUTOR, ADMINISTRATOR, TRUSTEE, OR GUARDIAN OF THE ESTATE OF THE OWNER. (Section 2 of the Act)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

"Permissible limits" for reporting purposes means a confirmed blood lead level (PbB) of less than 10 micrograms/deciliter (mcg/dl) of whole blood in a child under age 16 years, less than 10 mcg/dl for a pregnant or breast-feeding woman and less than 25 mcg/dl for all other persons.

"Person" means any one or more natural persons, legal entities, governmental bodies, or any combination.

"RESIDENTIAL BUILDING" MEANS ANY ROOM, GROUP OF ROOMS, OR OTHER INTERIOR AREAS OF A STRUCTURE DESIGNED OR USED FOR HUMAN HABITATION; COMMON AREAS ACCESSIBLE BY INHABITANTS; AND THE SURROUNDING PROPERTY OR STRUCTURES. (Section 2 of the Act)

"Work Area" means exterior areas where lead abatement activities are conducted.

"Work Site" means the room or rooms undergoing lead abatement activities in a single family dwelling or the room or rooms and common area of a residential building

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 845.12

Incorporated Materials

a) The following materials are incorporated by reference in this Part:

- 1) Occupational Safety and Health Administration (OSHA) Lead Standard 1910.1025 and 29 CFR Part 1926.62 (1993);
- 2) Department of Housing and Urban Development (HUD) Guidelines Lead-Based Paint: Interim Guidelines for Hazard Identification and Abatement in Public and Indian Housing, Revised Chapters 5, 8, 9, 10 and 11 (1994);
- 3) Occupational Safety and Health Administration (OSHA) regulations at 29 CFR 1910.1001 and 29 CFR 1926.62 (1993);
- 4) OSHA Interim Final Rule for Lead in Construction - 29 CFR 1926.62,

b) All incorporations by reference of federal regulations or standards and the standards of nationally recognized organizations refer to the regulation or standard on the date specified and do not include any additions or deletions subsequent to the date specified.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 845.26 Inspection of Dwellings, Residential Buildings or Child Care Facilities

- a) A representative of the Department or delegate agency may, after notification that a child who is an occupant or frequent inhabitant of a dwelling, child care facility, or residential building is found to have a confirmed blood lead level of 20 mcg/dl or higher, inspect the dwelling, residential building, or child care facility for the purpose of determining the source of lead poisoning. In the following cases, an environmental inspection and follow-up shall be conducted by the Department or delegate agency:
- a1) a child receiving chelation therapy for lead poisoning whose physician requests an inspection to determine if the child should be removed from the dwelling or residential building due to a lead hazard;
 - b2) a child with confirmed lead poisoning at or above 20 mcg/dl, at the request of the Department of Children and Family Services;
 - c3) a child with confirmed lead poisoning at or above 45 mcg/dl. An environmental inspection is also recommended for each case in which a child has confirmed lead poisoning at or above 20 mcg/dl; or
 - d4) a child with a persistent blood lead level of 15-19 mcg/dl over a six-month period.

b) FOLLOWING AN INSPECTION, THE DEPARTMENT OR ITS DELEGATE AGENCY SHALL:

1) PREPARE AN INSPECTION REPORT WHICH SHALL:

- A) STATE THE ADDRESS OF THE DWELLING UNIT; (Section 8 of the Act)
- B) DESCRIBE THE SCOPE OF THE INSPECTION, THE INSPECTION PROCEDURES USED, AND THE METHOD OF ASCERTAINING THE EXISTENCE OF A LEAD BEARING SUBSTANCE IN THE DWELLING UNIT; (Section 8 of the Act)
- C) STATE WHETHER ANY LEAD BEARING SUBSTANCES WERE FOUND IN THE DWELLING UNIT; (Section 8 of the Act)
- D) DESCRIBE THE NATURE, EXTENT, AND LOCATION OF ANY LEAD BEARING SUBSTANCE THAT IS FOUND; (Section 8 of the Act)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

E) STATE EITHER THAT A LEAD HAZARD DOES EXIST OR THAT A LEAD HAZARD DOES NOT EXIST. IF A DETERMINATION is made that A LEAD HAZARD DOES EXIST, THE REPORT SHALL DESCRIBE THE SOURCE, NATURE AND LOCATION OF THE LEAD HAZARD. THE EXISTENCE OF INTACT LEAD PAINT DOES NOT ALONE CONSTITUTE A LEAD HAZARD FOR THE PURPOSES OF THIS SECTION. (Section 8 of the Act)

E) GIVE THE NAME OF THE PERSON WHO CONDUCTED THE INSPECTION AND THE PERSON TO CONTACT FOR FURTHER INFORMATION REGARDING THE INSPECTION AND THE REQUIREMENTS OF this Part and the ACT. (Section 8 of the Act)

2) MAIL OR OTHERWISE PROVIDE A COPY OF THE INSPECTION REPORT TO THE PROPERTY OWNER AND TO THE OCCUPANTS OF THE DWELLING UNIT. IF A LEAD BEARING SUBSTANCE IS FOUND, the Department or its delegate agency shall attach an brochure containing information on lead abatement and mitigation to the copy of the inspection report provided to the property owner and the occupants of the dwelling unit. (Section 8 of the Act)

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 845.28

Lead Inspector, Worker, Contractor/Supervisor, and Contractor Licensing

a) A person shall be licensed by the Department prior to engaging in lead inspection activities. The Department shall issue a "Lead Inspector's License" to qualified applicants. In order to qualify, an applicant shall:

- 1) be at least 18 years of age;
- 2) attend a Department approved course, in accordance with subsection (f) ~~below~~ of this Section, and pass the examination administered at the conclusion of the course;
- 3) submit a recent 1" x 1" photograph of applicant for proper identification of the licensee. The license shall not be issued without an identification photograph;
- 4) submit proof of employment for one year as a lead inspector, asbestos inspector, building inspector or other type of similar inspection employment, submit proof of certification by the American Board of Industrial Hygiene as an Industrial Hygienist, or attend a three 3 day Department-approved course, in accordance with subsection (f)(2) of this Section; and

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

5) submit to the Department the required fee.

b) Application. Each person desiring licensure as a lead inspector shall make application to the Department on forms provided by the Department. Each application shall be accompanied by a \$100.00 nonrefundable fee, and a certificate verifying satisfactory completion of a Department-approved course within one year prior to application. Employees of the Illinois Department of Public Health, a delegate agency, or a local health department shall be exempt from licensure fees when such employees' licenses are used only for purposes related to employment at the above-mentioned agencies.

c) Reciprocity. Each applicant for licensure who is licensed or certified for lead inspection in another state may request reciprocal licensure. The Department shall evaluate the requirements for licensure in such other state and shall issue the license if the Department determines that the requirements for licensure in such other state are equal to or greater than the requirements for licensure in Illinois. Each applicant for licensure pursuant to this Section shall submit an application accompanied by a nonrefundable fee of \$100.00.

d) All licenses shall be renewed annually. All licenses shall expire on January 31 of each year, except licenses issued after October 31 and before February 1 shall expire on the next following January 31. The licensee shall be charged a nonrefundable fee of \$15.00 for the issuance of a duplicate license.

e) Renewal of License. Any license issued pursuant to these rules may be renewed if the licensee submits the application and a \$100.00 nonrefundable fee as required by subsection (a)(5) ~~above~~ of this Section and has a certificate of completion of a Department-approved one day (8 hour) lead inspector refresher course. The refresher course content shall be the same as that indicated in subsection (f) below. If a renewal application is received after January 1, the applicant shall pay a nonrefundable late fee of \$15.00 in addition to the renewal fee of \$100.00. An applicant whose licensure has been expired for a period less than 2 years may apply to the Department for reinstatement of his license. The Department shall issue such renewed license provided the applicant pays to the Department all lapsed license fees, plus a reinstatement fee of \$15.00. A license which has been expired for more than 2 years may be restored only by successfully passing an approved lead inspection training course and reapplying.

f) Approved Course Content. All lead inspectors shall have taken a qualifying training course which meets the requirements set out in this subsection and have received a certificate of completion. A training course in lead inspection shall:

- 1) Receive approval from the Department; and

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

- 2) Provide at least eight ~~8~~ hours (one day) of instruction for individuals who have ~~one~~ 4 year of experience or are certified industrial hygienists as required in subsection (a)(4) ~~above~~ of this Section or a three day course (equivalent to 24 hours) for individuals without experience as required in this Section, ~~two~~ 2 days of which is dedicated to the topics specified in subsections (f)(2)(E) and (f)(2)(F) ~~below~~ of this Section:

- A) health effects of lead exposure;
- B) requirements of regulations and standards established by the Department;
- C) lead sampling techniques;
- D) chemistry related to the lead abatement industry;
- E) construction techniques;
- F) inspection techniques as described in Appendices B and C; and
- G) safety.

- g) Licensed lead inspectors ~~may~~ shall use inspection forms and methods specified in Appendices B and C and Illustration A in Appendix C of this Part.

- h) Lead Worker and Contractor/Supervisor Licensing. A lead worker or lead contractor/supervisor shall be licensed by the Department prior to engaging in lead abatement or mitigation activities.

- i) The Department shall issue a Lead Worker License or Lead Contractor/Supervisor License to qualified applicants who comply with the requirements of subsections (a)(1), (3), and (5) of this Section. In addition, applicants shall attend a Department-approved course, in accordance with subsections (n)(2)(A) through (K) of this Section for lead workers and subsections (n)(2), and (3) of this Section for contractors/supervisors and shall pass the examination administered at the conclusion of the course.

- j) Application. Each person desiring licensure as a lead worker or lead contractor/supervisor shall make application to the Department on forms or in a format provided by the Department. Each application shall be accompanied by a nonrefundable fee of \$25.00 for a Lead Worker License or \$50.00 for a Lead Contractor/Supervisor License, and a certificate verifying completion of a Department-approved course, within one year prior to application, except as provided in this subsection. Employees of the Department, a delegate agency, or a local health

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

department shall be exempt from licensure fees when such employee's license is used only as for purposes related to employment at the above-mentioned agencies. A course taken after 1991, may qualify an applicant for licensure, provided the course is determined by the Department to be substantively equivalent to the requirements for approved course content specified in subsection (n) of this Section. After July 1, 1995, only Department-approved training courses will be accepted for application for licensure.

- k) Reciprocity. Each applicant for licensure who is licensed or certified as a lead worker or lead contractor/supervisor in another state may request reciprocal licensure. The Department shall evaluate the requirements for licensure in such other state and shall issue the license if the Department determines that the requirements for licensure in such other state are equal to or greater than the requirements for licensure in Illinois. Each applicant for licensure pursuant to this subsection shall submit an application, on forms or in a format provided by the Department, accompanied by a nonrefundable fee of \$25.00 for a Lead Worker License and \$50.00 for a Lead Supervisor/Contractor License.

- l) Renewal of License. All Lead Worker and Lead Contractor/Supervisor Licenses shall be renewed annually. All licenses shall expire on March 31 of each year, except licenses issued after December 31, and before April 1, shall expire on the next following March 31. Any current license issued pursuant to this Section may be renewed if the licensee submits, prior to March 1, a renewal application on forms or in a format provided by the Department, a nonrefundable fee of \$25.00 for a Lead Worker License or \$50.00 for a Lead Contractor/Supervisor License, and a certificate verifying completion, within one year prior to application for renewal, of a Department-approved one day (8 hour) lead worker or lead contractor/supervisor refresher course. The refresher course content shall be the same as that indicated in subsections (n)(2) for a Lead Worker License or subsections (n)(2) and (3) for a Lead Contractor/Supervisor License. If a renewal application is received after March 1, the applicant shall pay a nonrefundable late fee of \$15.00, in addition to the license renewal fee. An applicant whose license has been expired for a period of two years or less may apply to the Department for reinstatement of his license. The license shall be reinstated if the applicant submits to the Department a certificate verifying completion of the required type and number of refresher courses for the license category, all lapsed license fees, and a nonrefundable reinstatement fee of \$15.00. A license that has been expired for more than two years is not eligible for renewal. In such instances, the formerly licensed individual desiring to become licensed again shall follow the application procedures specified in subsection (i) of this Section.

- m) Duplicate License. A duplicate license shall be issued to a currently licensed lead worker, contractor/supervisor, or contractor upon submittal of a \$15.00 nonrefundable duplicate license fee.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

n) Approved Course Content. All lead workers or lead contractor/supervisors shall have taken a Department-approved training course which meets the requirements set out in this subsection and shall have received a certificate of completion upon passing the examination administered at the conclusion of the course. A training course for lead workers and lead contractors/supervisors shall:

- 1) Receive approval from the Department; and
- 2) Provide at least a three-day course (equivalent to 24 hours) for the instruction of individuals who desire to be licensed as lead workers and a four-day course (equivalent to 32 hours) for individuals who desire to become licensed as lead contractor/supervisors. The three-day course shall be dedicated to the following topics:

- A) History of Lead;
 - B) Health Effects of Lead Exposure;
 - C) Medical Surveillance of Lead Poisoned Individuals;
 - D) Legal Rights and Responsibilities;
 - E) Personal Protective Equipment;
 - F) Safety Problems;
 - G) Abatement Methods and Work Problems;
 - H) Decontamination;
 - I) Clean-up and Disposal Procedures;
 - J) Lead Monitoring and Tests; and
 - K) Hazard Communication.
- 3) In addition to subsections (n)(2)(A) through (K) of this Section, a lead contractor/supervisor shall complete a lead contractor/supervisor supplemental course, which shall consist of an additional eight hours (one day) of training, and shall pass the examination administered at the conclusion of the course. The supplemental training course for lead contractor/supervisors shall be dedicated to the following topics:
- A) Lead Inspection;

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

B) Supervisory Techniques;

C) Occupational Safety and Health Administration (OSHA) Lead Standard 1910.1025 and 29 CFR Part 1926.62 (1993);

D) Department of Housing and Urban Development (HUD) Guidelines Lead-Based Paint: Interim Guidelines for Hazard Identification and Abatement in Public and Indian Housing, Revised Chapters 5, 8, 9, 10 and 11 (1994).

u) The Department shall prepare and maintain a list of licensed lead abatement contractors.

- 1) Requirements of Licensure. An applicant for a lead abatement contractor license shall submit the following to the Department:
- A) an application on a form or in a format provided by the Department;
- B) a \$500.00 nonrefundable licensure fee;
- C) a certificate of financial responsibility documenting that the contractor carries liability insurance, self insurance, group insurance, group self insurance, a letter of credit, or a bond in the amount of at least \$250,000 for work performed pursuant to the Lead Poisoning Prevention Act and Lead Poisoning Prevention Code. The contractor shall notify the Department of any changes in the status of the certificate of financial responsibility, including expiration, renewal or alteration of the terms of the certificate. The certificate of financial responsibility shall be an original and shall expressly provide coverage for lead abatement. A photocopy or facsimile copy is not acceptable. The certificate shall be issued by an insurance company that is authorized to transact business in Illinois. A current certificate of insurance shall be on file with the Department at all times;
- D) a copy of a valid Contractor/Supervisor's License issued to either the contractor or the contractor/supervisor employed by the contractor;
- E) a written statement signed by the contractor specifying that only lead workers licensed by the Department will be employed for lead abatement;
- F) a copy of the contractor's written standard operating procedures and employee protection plan, which shall include specific references to

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

medical monitoring and respirator training programs required in OSHA regulations at 29 CFR 1910.1001 and 29 CFR 1926.62 (1993);

- G) a description of all legal proceedings, lawsuits or claims which have been filed or levied against the contractor or any of his past or present employees or companies in regard to construction related activities.

- 2) Reciprocity. An applicant for a contractor's license who is licensed or certified for lead contracting in another state may request reciprocal licensure.

The Department shall evaluate the requirements for licensure in such other state and shall issue the license, if the Department determines that the requirements for licensure in such other state are equal to the requirements for licensure in this State. Each applicant for licensure pursuant to this subsection shall submit a one time application fee of \$250.00 nonrefundable and an additional \$500.00 nonrefundable license fee if qualified for licensure.

- 3) Renewal of License. All contractor licenses shall be renewed annually. All licenses shall expire on May 31 of each year. If a renewal application is received after April 30, the applicant shall pay a nonrefundable late fee of \$100.00, in addition to the \$500.00 nonrefundable renewal fee. An applicant whose license has expired for a period of three years or less may apply to the Department for reinstatement of the license. The license shall be reinstated if the applicant submits to the Department all lapsed license fees and a reinstatement fee of \$100.00. A license which has expired for more than three years is not eligible for renewal. In such instances, the formerly licensed individual desiring to be licensed shall follow the application procedures specified in subsection (c)(1) of this Section.

- 2) Denial of application, and suspension or revocation of license:

- 1) The Director after notice and opportunity for hearing, may deny the application for, or suspend or revoke the license of a lead abatement contractor, contractor/supervisor, worker, or inspector in any case in which the Director finds substantial or continued failure to comply with this Part.
- 2) Such notice shall be made by certified mail or by personal service and shall set forth the particular reasons for the proposed action and provide the applicant or licensee with an opportunity to request a hearing. If a written hearing request is not received within 15 days after receipt of the notice by the applicant or licensee, the right to a hearing is waived.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 845.29 Safety Guidelines for Workers Removing or Covering Leaded Soil

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

- a) Workers shall be licensed in accordance with Section 845.28 and should be provided with a pre-employment physical to determine blood lead level and ability to wear appropriate respiratory protection. Workers should not be permitted to perform lead removal work if they have blood lead levels greater than the permissible limits set forth in Section 845.10.

- b) All workers removing or covering lead soil should receive appropriate safety training designed to reduce their exposure to lead and the risk of job-related injuries.

- c) Workers should be provided with a changing area equipped with a facility for washing or showering. Workers should be required to change into personal protective clothing before entering the work area, and to remove personal protective clothing and shower or wash before leaving the work area, as provided in Section 845.30(de) (2) and (4).

- d) Equipment decontamination procedures shall be employed to prevent the spread of lead contamination. Disposable items are not to be reused and shall be discarded as provided in Section 845.30(pg)(2)(C).

- e) Protection for workers removing or covering lead soil should meet the requirements of Section 845.30(de) and (4l). Personal air monitoring for lead and/or respirable dust exposure should be done at appropriate intervals.

- f) Safety Guidelines During Soil Remediation or Removal

- 1) Prior to beginning soil remediation or removal, the source of the lead contamination of the soil shall be identified if possible and eliminated to prevent re-contamination of the remediated soil.
- 2) Removal or remediation of the soil shall be accompanied by dust suppression methods, and the generation of dust shall be held to a minimum. Monitoring of airborne dust shall be performed by the owner or its agent and, if acceptable levels are exceeded, additional dust suppression steps shall be taken or work stopped until dust is controlled. Airborne lead analysis may be performed in conjunction with dust measurements.
- 3) Soil which is stockpiled prior to disposal shall be:
- A) placed on a layer of impermeable plastic;
- B) kept moist to avoid dust generation; and
- C) covered with impermeable plastic which is secured to the ground.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

- 4) Contaminated soil shall be transported to disposal areas in sealed containers or in a covered vehicle. Off-site vehicular or foot tracking of contaminated soil shall be avoided.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 845.30 Mitigation or Abatement of Lead Hazards

- a) The following procedures shall be followed upon determination by the Department or delegate agency that a lead hazard is present in or upon any dwelling or residential building or child care facility:

- 1) IF THE INSPECTION REPORT IDENTIFIES A LEAD HAZARD, THE DEPARTMENT OR DELEGATE AGENCY SHALL SERVE A MITIGATION NOTICE ON THE PROPERTY OWNER THAT THE OWNER IS REQUIRED TO MITIGATE THE LEAD HAZARD. The mitigation notice shall indicate the time period in which the owner must complete the mitigation as required by subsection (a)(3) of this Section, and shall include information describing mitigation activities which meet the requirements of this Part and the Act. (Section 9 of the Act)

- 2) IF THE INSPECTION REPORT prepared in accordance with Section 845.26, identifies a lead hazard, the owner shall mitigate the lead hazard in accordance with the requirements of this Section and within the time limits set forth in subsection (a)(3) of this Section. If the source of the lead hazard identified in the inspection report is lead paint or any other leaded surface coating, the lead hazard shall be deemed to have been mitigated if:

- A) THE SURFACE IDENTIFIED AS THE SOURCE OF THE HAZARD IS NO LONGER IN A CONDITION THAT PRODUCES A HAZARDOUS LEVEL OF LEADED CHIPS, FLAKES, DUST OR ANY OTHER FORM OF LEADED SUBSTANCE THAT CAN BE INGESTED OR INHALED BY HUMANS, OR; (Section 9 of the Act)
- B) IF THE SURFACE IDENTIFIED AS THE SOURCE OF THE HAZARD IS ACCESSIBLE TO CHILDREN AND COULD REASONABLY BE CHEWED ON BY CHILDREN, THE SURFACE COATING IS EITHER REMOVED OR COVERED, OR THE ACCESS TO THE LEADED SURFACE BY CHILDREN IS

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

OTHERWISE PREVENTED AS PRESCRIBED BY THE DEPARTMENT. (Section 9 of the Act)

- 3) WHEN A MITIGATION NOTICE IS ISSUED FOR A DWELLING UNIT INSPECTED AS A RESULT OF AN ELEVATED BLOOD LEAD LEVEL IN A PREGNANT WOMAN OR A CHILD, OR IF THE DWELLING UNIT IS OCCUPIED BY A CHILD UNDER 6 YEARS OF AGE OR A PREGNANT WOMAN, THE OWNER SHALL MITIGATE THE HAZARD WITHIN 30 DAYS OF RECEIVING THE NOTICE; OTHERWISE, THE OWNER SHALL COMPLETE THE MITIGATION WITHIN 90 DAYS. (Section 9 of the Act)

- 4) AN OWNER MAY APPLY TO THE DEPARTMENT OR ITS DELEGATE AGENCY FOR AN EXTENSION OF THE DEADLINE FOR MITIGATION. IF THE DEPARTMENT OR ITS DELEGATE AGENCY DETERMINES THAT THE OWNER IS MAKING SUBSTANTIAL PROGRESS TOWARD MITIGATION during the prescribed time period, OR THAT THE FAILURE TO MEET THE DEADLINE IS THE RESULT OF A SHORTAGE OF LICENSED ABATEMENT CONTRACTORS OR WORKERS, OR THAT THE FAILURE TO MEET THE DEADLINE IS BECAUSE THE OWNER IS AWAITING THE REVIEW AND APPROVAL OF A MITIGATION PLAN, THE DEPARTMENT OR DELEGATE AGENCY MAY GRANT AN EXTENSION OF THE DEADLINE. (Section 9 of the Act)

- 5) THE DEPARTMENT OR ITS DELEGATE AGENCY MAY, AFTER THE DEADLINE SET FOR COMPLETION OF MITIGATION CONDUCT A FOLLOW-UP INSPECTION OF ANY DWELLING FOR WHICH A MITIGATION NOTICE WAS ISSUED FOR THE PURPOSE OF DETERMINING WHETHER THE MITIGATION ACTIONS REQUIRED HAVE BEEN COMPLETED AND WHETHER THE ACTIVITIES HAVE SUFFICIENTLY MITIGATED THE LEAD HAZARD. THE DEPARTMENT OR ITS DELEGATE AGENCY MAY CONDUCT A FOLLOW-UP INSPECTION UPON THE REQUEST OF AN OWNER OR RESIDENT. IF, UPON COMPLETING THE FOLLOW-UP INSPECTION, THE DEPARTMENT OR ITS DELEGATE AGENCY FINDS THAT THE LEAD HAZARD FOR WHICH THE MITIGATION NOTICE WAS ISSUED IS NOT MITIGATED, THE DEPARTMENT OR ITS DELEGATE AGENCY SHALL SERVE THE OWNER WITH NOTICE OF THE DEFICIENCY AND A MITIGATION ORDER. THE ORDER SHALL INDICATE THE SPECIFIC ACTIONS THE OWNER MUST TAKE TO COMPLY WITH THE MITIGATION REQUIREMENTS OF THIS ACT, WHICH MAY INCLUDE ABATEMENT IF ABATEMENT IS THE SOLE MEANS BY WHICH THE LEAD HAZARD CAN BE MITIGATED. THE

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

ORDER SHALL ALSO INCLUDE THE DATE BY WHICH THE MITIGATION SHALL BE COMPLETED. IF, UPON COMPLETING THE FOLLOW-UP INSPECTION, THE DEPARTMENT OR DELEGATE AGENCY FINDS THAT THE MITIGATION REQUIREMENTS OF THIS ACT HAVE BEEN SATISFIED, THE DEPARTMENT OR DELEGATE AGENCY SHALL PROVIDE THE OWNER WITH A CERTIFICATE OF COMPLIANCE STATING THAT THE REQUIRED MITIGATION HAS BEEN ACCOMPLISHED. (Section 9 of the Act)

UPON DETERMINATION BY THE DEPARTMENT OR DELEGATE AGENCY THAT THERE ARE LEAD-BEARING SUBSTANCES IN OR UPON ANY DWELLING OR RESIDENTIAL BUILDING OR CHILD-CARE FACILITY WHICH MAY BE HAZARDOUS TO CHILDREN, OR UPON RECEIPT OF CONFIRMATION THAT AN INDIVIDUAL HAS A LEVEL OF LEAD IN HIS BLOOD EQUAL TO OR GREATER THAN 20 mcg/dl, THE DEPARTMENT, OR DELEGATE AGENCY (Section 9 of the Act):

- 1) may inform the lead health department of the results of the Department's or the delegate agency's determination and provide recommendations for elimination of the problem areas;
- 2) may, in the event that children reside in or frequently inhabit the premises, notify the homeowner, the occupant, or their representatives that lead-bearing substances are present on the surfaces of the dwelling or the residential building and may constitute a hazard to the health of children; and
- 3) may notify the owner of the dwelling or the residential building in writing, or in person, advising of the existence of such substances with instructions that these substances if accessible to children shall be removed, replaced, or securely and permanently covered as required by subsections (d) through (j) below.
- 4b) In order to ensure that lead mitigation or abatement activities do not result in lead contamination of areas outside of the abatement worksite or work area, the removal of lead-bearing substances from the dwelling, or residential building, or child care facilities shall be conducted in a manner that will not endanger the health or well-being of occupants and will result in the safe removal from the worksite or work area and the safe disposal of flakes, chips, debris, dust, and other lead-bearing substances. Notwithstanding any provisions to the contrary, performance of mitigation and abatement activities which do not conform to procedures and criteria provided in this Section, whether or not those procedures and criteria are expressly made mandatory in this Section, shall create a rebuttable presumption of creation of a health hazard by the person performing such activities. Subsections (k), (l), (m),

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

(n), (o), and (p) below specify recommended procedures for containment during abatement, cleanup, and disposal of lead-bearing substances. Adherence to these procedures will ensure that the above mentioned requirement is met.

b.)

Mitigation is an interim method of eliminating the lead hazard risk to a child and may consist of any number of the lead hazard repair activities specified in subsections (c)(1) through (5) of this Section. Such activities may not be considered final actions if it is determined, through a follow-up inspection conducted pursuant to subsection (a)(5) of this Section, that the lead hazard repair measures taken have not sufficiently mitigated the lead hazard. The following are considered temporary lead hazard repair measures and are not to be considered as final action in complying with the law or fulfilling requirements set forth by the Department or delegate agency: Temporary Lead hazard repairs shall be completed within 7 days the time specified after receipt of written notification. When conducting any lead hazard repair that does not create lead dust or fumes, the requirements of Section 845.28 pertaining to the licensure of lead workers, lead contractor/supervisors, or lead abatement contractors and the requirements of subsections (d)(1)(B) through (E) and (d)(2) of this Section are optional. The following methods are only a means of temporarily eliminating the lead hazard risk to the child until permanent removal of the lead-bearing substances is completed in accordance with this Part. The owner or its agent shall comply with subsections (c) and (k) below when making temporary lead hazard repairs which create lead dust or fumes. No children, pregnant women, unprotected nonworkers, or pets shall be permitted to enter the work site.

- 1) When conducting any temporary lead hazard repair that does not create lead dust or fumes, the requirements of subsections (c)(1)(B) through (E) and (c)(2) below are optional. All loose paint shall be moistened and carefully scraped from the walls, ceiling, woodwork, and any other peeling defective surfaces. These areas shall then be covered with contact paper, cloth, canvas, or other material which will create an intact surface for the purpose of preventing the paint chips from falling on the floor and preventing a child from the lead hazard peeling the paint from the wall. All debris paint chips shall be collected and sealed in plastic bags for proper disposal in accordance with subsection (pg) of this Section below.
- 2) Areas which may be chewed upon by a child shall be covered with heavy paper, cardboard, cloth, canvas or other material that will prevent access to the lead hazard by a child.
- 3) All plaster and paint chips shall be collected, and any surfaces that have collected paint dust shall be cleaned by damp mopping with a phosphate-containing detergent, or trisodium phosphate (TSP), or a phosphate-free lead-dissolving detergent.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

4) Surfaces on which lead is managed-in-place shall be inspected by the owner or its agent at least once each year. Any surfaces which are not intact shall be repaired. ~~If the temporary repairs described in subsections (b)(1) through (b)(3) above will not result in protection of a child or are not practical, the room in which the lead hazard is present shall be closed and locked so that it will not be accessible to children, or the child shall be removed to a lead-safe dwelling during abatement.~~

5) A mitigation plan shall be submitted by the owner or its agent to the Department or delegate agency specifying the method or methods by which surfaces which will be managed in place are to be maintained in an intact condition. The plan shall include an inspection and maintenance schedule.

d) ~~Abatement. For cases in which a follow-up inspection conducted pursuant to subsection (a)(5) of this Section determines that lead hazard repair measures taken have not sufficiently mitigated the lead hazard, abatement may be deemed necessary. If the Department or delegate agency determines that abatement is the sole means by which a lead hazard can be mitigated, then abatement activities shall be conducted in accordance with this Section. MITIGATION ACTIVITIES WHICH INVOLVE THE DESTRUCTION OR DISTURBANCE OF ANY LEADED SURFACE SHALL BE CONDUCTED BY A LICENSED LEAD ABATEMENT CONTRACTOR USING LICENSED LEAD ABATEMENT WORKERS (Section 9 of the Act). If the mitigation activities described in subsection (c) of this Section will not result in protection of a child, or are not practical, any child or children shall be removed to a lead-safe dwelling until abatement is completed. Personal Protection~~

1) ~~Personnel Protection. When conducting lead abatement which does not create lead dust or fumes, the requirements of subsections (c)(1)(B) through (E) and (c)(2) below are optional.~~ An owner, its agent, or any person who is performing corrective action that is prescribed by the Department or a delegate agency for lead abatement in a dwelling, shall take the following precautions to protect his or her health and the health of occupants of the dwelling during any lead abatement that may produce lead dust or fumes. Monitoring of airborne dust shall be performed when work is in progress and respiratory protection shall be provided in accordance with this Section. The owner or its agent shall assure, through the monitoring of airborne dust in the work site and in areas that are outside but adjacent to the work site, that no person conducting lead abatement work directed by the Department or owner is exposed to lead at concentrations greater than the permissible exposure limit average (50 mcg/m³) over an eight-hour period.

A) No children, pregnant women, unprotected workers, nonworkers, or pets shall be permitted to enter the work site.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

B) Respiratory protection shall be worn by all individuals in the work site or work area who may be exposed to lead dust or fumes at all times during lead abatement activities. Respiratory protection in accordance with OSHA Interim Final Rule for Lead in Construction - 29 CFR 1926.62, shall be worn until all areas have been thoroughly cleaned as described in subsection (a) of this Section. The following are the minimum respiratory protection requirements:

i) Air lead levels of 500ug/m³ or less: Half-mask air purifying (protection 10X) respirator with high efficiency filters; or half-mask supplied air respirator operated in demand (negative-pressure) mode.

ii) Air lead levels between 500ug/m³ and 1,250ug/m³: Loose fitting hood or helmet (protection 25X) powered air purifying respirator with high efficiency filters; or hood or helmet supplied air respirator operated in continuous-flow mode (e.g., type CE abrasive blasting respirators operated in a continuous flow mode).

iii) Air lead levels between 1250ug/m³ and 2500ug/m³: Full facepiece air purifying (protection 50X) respirator with high efficiency filters, tight fitting powered air purifying respirator with high efficiency filters; full facepiece supplied air respirator operated in demand mode; half-mask or full facepiece supplied air respirator operated in a continuous-flow mode; or full facepiece self-contained breathing apparatus (SCBA) operated in demand mode.

iv) Air lead levels between 2500ug/m³ and 50,000ug/m³: Half-mask supplied air (protection 1,000X) respirator operated in pressure-demand or other positive pressure mode.

v) Air lead levels between 50,000ug/m³ and 100,000ug/m³: Full facepiece supplied air (protection 2,000X) respirator operated in pressure demand or other positive pressure mode (e.g., type CE abrasive blasting respirators operated in a positive pressure mode).

vi) Greater than 100,000ug/m³: Full facepiece SCBA operated unknown concentration, in pressure-demand or other or fire fighting positive pressure mode (protection over 2000X).

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

- i) ~~a negative pressure, half mask, air purifying respirator, equipped with high efficiency particulate air (HEPA) filters for airborne dust levels not in excess of 0.5 mg/m³, ten times the permissible exposure level (10 X PEL); or~~
- ii) ~~a full face piece, air purifying respirator, with HEPA filters for airborne dust levels not in excess of 2.5 mg/m³ (50 X PEL); or~~
- iii) ~~a pressure demand, full face, supplied air respirator for airborne dust concentrations equal to or in excess of 50 mg/m³ (1000 X PEL); or~~

C) Only approved Mine Safety and Health Administration (MSHA) or National Institute of Occupational Safety and Health (NIOSH) respirators shall be used. Respirators shall be properly fitted for all persons working at the site. If any person has a medical history of respiratory problems, a physician should be contacted for testing to determine if the person may wear such respirators.

D) The manufacturers' instructions shall be followed for maintenance, proper fit, use of appropriate cartridges, cleaning, repair, replacement of defective parts, appropriate storage, and the frequency of cartridge replacement for the specific respirator in use.

(NOTE: Respirators are not effective if facial hair (a beard etc.) is present because a good seal cannot form between the respirator and skin.)

- E) Respirators shall not be removed while in the work site or work area.
- F) Additional respiratory protection by supplemental filters, such as organic vapor cartridges, may be needed when handling some coating or stripping products. Consult the Material Safety Data Sheets (MSDS) or the manufacturer and obtain the proper filters as necessary.

- 2) Individuals at the work site shall wear full body suits with hoods and shoe covers. A TYVEK or similar type of disposable suit may be worn. Disposable suits shall be used once, then properly discarded. Protective clothing, as described above, and other personal protective equipment (PPE) shall be put on prior to entering the work site or work area. Protective clothing shall be worn in the work site or work area until if the area has been thoroughly cleaned as described in clean-up activities in subsection (4g)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

below. Protective clothing shall be changed before leaving the work site or work area and nondisposable suits shall be laundered separately. An area other than the work site or work area shall be provided for persons to put on suits and other PPE and to store their street clothes.

- 3) Goggles with side shields shall be worn when working with a material that may splash or fragment, or if protective eye wear is specified on the Material Safety Data Sheet.

ed) Notice to Occupants. The owner or its agent shall give notice to the occupants of a dwelling to be abated for lead, at least 7 days but not more than 30 days, before a contractor or the owner may commence a lead abatement project. Before beginning a lead abatement project, the owner of the building in which lead abatement is to take place shall remove all furniture and packed personal items from the work site and store them in a secure place. The owner of the building in which the lead abatement project is to take place shall notify all residents of:

- 1) the site or area which is to be abated;
- 2) the date on which abatement is to commence; and
- 3) the occupants' obligations under this Section to place all personal items in a box or other closed, easily handled container. Every occupant of a dwelling to be abated, who has received a notice of lead abatement, shall be responsible for placing all personal items in boxes or other closed, easily handled containers.

fe) Residential Buildings. At all times when a lead abatement project is being conducted in a common area of a residential building:

- 1) occupants and pets shall use alternative entrances and exits which do not require passage through the work site or work area, if such entrances and exits exist;
- 2) the owner or its agent shall use all reasonable efforts to create an uncontaminated passage for entrance and egress of all building occupants; and
- 3) if the entrance to and egress from a building can only be through the work site or work area, abatement in the work site or work area shall be conducted between the hours of 9 a.m. to 3 p.m. only, and the work site or work area shall be cleaned with a HEPA vacuum at the end of each working day until all surfaces are free of visible dust and debris.

gf) Abatement of lead-bearing substances shall not employ the following methods:

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

- 1) open flame burning;
- 2) dry-sanding, ~~except as allowed in subsection (g)(2)(D) below;~~
- 3) open abrasive blasting, ~~except as allowed in subsection (g)(2)(E) below;~~
- 4) uncontaminated hydro-blasting;
- 5) methylene chloride for interior use (except that methylene chloride may be used in work sites for localized touch-up); or
- 6) dry-scraping.

~~hg)~~ Abatement of lead-bearing substances shall employ only the following methods:

- 1) Replacement. Any component part of a building may be abated by replacement with a part free of lead-bearing substances.
- 2) Removal. Unless replaced, encapsulated, or reversed, woodwork ~~and floors~~ may ~~only~~ be abated by using the following techniques:
 - A) offsite chemical stripping;
 - B) heat gun; (The temperature of the heat gun shall not exceed 700° F.)
 - C) nonflammable chemical strippers which do not contain methylene chloride, except that chemical strippers containing methylene chloride may be used for localized touch-up;
 - D) sander equipped with HEPA vacuum;
 - E) vacuum-blasting in exterior work areas only;
 - F) contained hydro-blasting in exterior work areas only; or
 - G) mechanical paint removal systems equipped with a HEPA vacuum.
- 3) Unless replaced or encapsulated, walls or ceilings may ~~only~~ be abated by using the following techniques:
 - A) wet-scraping of loose material, if scraping is followed by encapsulation;
 - B) vacuum-blasting in exterior work areas only; or

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

- C) contained hydro-blasting in exterior work areas only.
- 4) Enclosure or ~~Encapsulation~~. A wall or ceiling surface may be abated by covering the lead-bearing surface with any of the following materials. (All seams and openings shall be caulked and sealed where applicable.):
 - A) gypsum board;
 - B) fiberglass mats;
 - C) canvas-backed vinyl wall coverings;
 - D) high pressure, laminated plastic sheet, such as Formica®;
 - E) tile;
 - F) paneling;
 - G) other durable material that does not readily tear or peel; or
 - H) Department-approved solvent-free coatings (not household paint) applied in accordance with the manufacturer's directions. The Department shall provide a list of approved coatings upon request.
- 5) A floor surface may be abated by enclosure using the following materials:
 - A) tile;
 - B) vinyl flooring;
 - C) wood; or
 - D) stone.
- 6) A woodwork surface may be abated by enclosure or encapsulation only with the following materials:
 - A) plastic;
 - B) metal;
 - C) wood; or

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

- D) Department-approved solvent-free coatings (not household paint) applied in accordance with the manufacturer's directions. The Department shall provide a list of approved coatings upon request.
- 7) Reversal. A woodwork surface may be abated by reversing component parts, provided that no lead-bearing surface remains exposed at the completion of the process and all seams are caulked and sealed.
- 8) Windows, when abated, shall be completely treated, including inside, outside, and sides of sashes and mullions. Window frames shall be abated to the outside edge of the frame, including slides, sash guides, and window wells and sills.

(j) Alternative Procedures

- 1) The Department or delegate agency may allow an alternative procedure for abatement, containment or cleanup of a lead paint hazard, provided that the owner submits to the Department or delegate agency a written description of the alternative procedure that demonstrates to the satisfaction of the Department that the proposed alternative procedure provides a level of abatement and safety equivalent to the requirements of this Section. The delegate agency shall send a copy of the request and the delegate agency's response to the Department for its records.

- 2) In all cases in which the Department or delegate agency allows the use of an alternative procedure under subsection (j)(1) above, the owner and occupant shall, for a one-year period after completion of the lead abatement project, permit the Department or delegate agency to enter and inspect the area of abatement for the purpose of determining the effectiveness and durability of the allowed alternative procedure.

- (j) Caution Signs. At each work site or work area in dwellings occupied by two or more families, the owner or its agent performing an abatement shall display a caution sign in the following manner wherever the abatement process is reasonably expected to break or disturb any lead-bearing substances.

- 1) At least 3 days before removing, enclosing, or encapsulating lead paint, the owner shall post caution signs immediately outside all entrances and exits to the work site. In emergency situations posting shall be done as soon as possible.
- 2) The owner shall keep the caution signs posted until the lead abatement is completed.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

- 3) The owner shall ensure that caution signs meet the following specifications:
- A) the sign shall be at least 20" by 14", and state the date and place of the lead abatement project;
- B) except as provided in subsection (j)(3)(C) below, the sign shall include the phrase "Caution, Lead Hazard, Keep Out" or "Warning, Lead Work Area, Keep Out" in bold lettering, at least two inches high; and
- C) in dwellings occupied by two or more households where common areas are to be abated, the sign shall include the phrase "Caution, Lead Hazard, Do Not Remain in Work Area Unless Authorized" in bold lettering, at least two inches high.

(k) Residential Buildings

- 1) In residential buildings where common areas are to be abated, the owner or its agent shall post a notice on the door of each apartment in the building at least three days before a lead abatement project commences.
- 2) The notice required in subsection (k)(1) above shall contain:
- A) the date of commencement of abatement and identification of the area to be abated; and
- B) a caution statement alerting residents not to enter the work site or work area.

(l) Personal Hygiene Practices

- 1) Eating, drinking, smoking, and applying of cosmetics are not allowed in the work site or work area. Any person leaving the work site or work area shall rinse his or her mouth with potable water and wash hands and face thoroughly before eating, drinking or smoking.
- 2) All individuals shall wash or shower before leaving the work site or work area for the day.
- 3) A lavatory facility or potable water supply or a portable decontamination unit shall be provided and located at the work site or work area for the washing of hands and face and for clean up activities.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

m4) Negative air pressure ~~shall~~ be maintained in work sites undergoing lead abatement in multiple dwelling units occupied by two or more households having a common area and in residential buildings having a common area, in which any unit of the building is undergoing lead abatement. The maintenance of negative air pressure will ensure that contaminated air does not filter from the work site to uncontaminated areas. (See Appendix D of this Part)

- 1) The negative pressure system shall use HEPA filters and shall operate continuously, 24 hours a day, at the start of the lead abatement work through clean-up as described in Section 845.30 (g#).
- 2) The owner or its agent shall assure, through the monitoring of airborne dust, that no person conducting lead abatement work directed by the Department is exposed to lead at concentrations greater than (50 mcg/m³) average over an eight-hour period.

n#) Containment

1) Interior Containment. Before beginning to abate a lead-containing substance which will cause lead dust or fumes in excess of the requirements in subsection (c) above in the work site, the owner or its agent performing an abatement ~~shall~~ shall:

- A) ensure that all movable objects have been removed from the work site;
- B) turn off all forced air ventilation in the work site and seal exhaust and intake points in the work site;
- C) if the work site is a room or group of rooms within a building, seal the work site from all other portions of the building with plastic sheeting at least 6 mils thick, secured by duct tape or spray adhesives;
- D) seal the opening seams of all kitchen cabinets and refrigerators individually with tape;
- E) cover all objects that cannot be moved, such as radiators, refrigerators, stoves, kitchen cabinets, built-in furniture, and bookcases, with plastic sheeting at least 6 mils thick taped securely in place;
- F) cover floors in the work site with plastic sheeting at least 6 mils thick sealed with tape; and

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

G) remove all carpeting from the work site prior to abatement. Carpeting ~~shall~~ shall be professionally cleaned or replaced. Carpeting ~~shall~~ shall be misted with water prior to removal to prevent lead dust exposure.

2) Exterior Containment. Before beginning to abate a lead-containing substance in an exterior work area, the owner or its agent performing the abatement ~~shall~~ shall use the following procedures:

- A) When liquid waste is produced by any abatement technique used, plastic sheeting at least 6 mils thick shall be placed on the ground, as close as possible to the building foundation, or on the floor when applicable. Sheeting placed on the ground or floor shall be raised at its edge and extended a sufficient distance to contain the liquid waste.
 - B) When nonliquid waste is produced by any abatement technique used, plastic sheeting at least 6 mils thick shall be placed on the ground, as close as possible to the building foundation, or on the floor when applicable. Sheeting placed on the ground or floor shall extend out from the foundation 3 feet per story being abated, with a minimum of 5 feet and a maximum of 20 feet.
 - C) Sheeting placed on an exterior floor shall cover the entire floor.
 - D) Sheeting shall be secured at the foundations and along all edges and seams.
 - E) If the wind speed causes visible dust during an exterior abatement project producing dry waste, abatement ~~shall~~ shall not be continued or performed unless vertical shrouds are erected.
 - F) When vacuum or hydro-blasting, interior windows ~~shall~~ shall be sealed with plastic sheeting 6 mils thick and secured with waterproof tape.
- 3) For all sealing and covering of interior and exterior abatement work the owner or its agent ~~shall~~ shall use the following:
- A) plastic sheeting, at least 6 mils thick or equivalent;
 - B) duct tape or equivalent waterproof tape;
 - C) spray adhesives; or

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

- D) other additional appropriate work practices to contain particulate lead or lead-containing liquids.

4) Alternative Procedures

- A) The Department or delegate agency may allow an alternative procedure for abatement, containment or cleanup of a lead paint hazard, provided that the owner submits to the Department or delegate agency a written description of the alternative procedures that demonstrates to the satisfaction of the Department that the proposed alternative procedure provides a level of abatement and safety equivalent to the requirements of this Section. The delegate agency shall send a copy of the request and the delegate agency's response to the Department for its records.

- B) In all cases in which the Department or delegate agency allows the use of an alternative procedure under subsection (gm)(4)(A) above, the owner and occupant shall, for a one-year period after completion of the lead abatement project, permit the Department or delegate agency to enter and inspect the area of abatement for the purpose of determining the effectiveness and durability of the allowed alternative procedure.

- (om) Cleanup of Interior Work Site. Refer to Appendix D of this Part if a negative pressure system is used. After completion of the removal, replacement, enclosure, encapsulation, or reversal involved in an abatement project, the owner or its agent ~~should~~ shall:

- 1) deposit all lead waste, including sealing tape; ~~and~~ plastic sheeting, ~~mop heads, sponges, filters, and disposable clothing~~; in double plastic bags at least 4 mils thick or single bags 6 mils thick or equivalent, and seal the bags;
- 2) before washing, vacuum-clean all surfaces in the work site including woodwork, walls, windows, window wells, and floors with a HEPA vacuum;
- 3) after vacuum-cleaning, wet wash all surfaces in the work site including woodwork, walls, windows, window wells, ceilings and floors with a solution containing trisodium phosphate mixed according to the manufacturer's directions; ~~or a phosphate-free lead dissolving detergent~~; and
- 4) if visible residue remains after washing and allowing all surfaces to dry, vacuum all surfaces with a HEPA vacuum, as described in subsection (om)(2) above; ~~and~~

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

- 5) deposit all lead waste from clean-up, including mop heads, sponges, filters, and disposable clothing, in double plastic bags at least 4 mils thick or single bags 6 mils thick, and seal the bags.

- (p) Cleanup of Exterior Work Area. After completion of the replacement, removal, encapsulation, enclosure, or reversal involved in an exterior abatement or mitigation project, the owner or its agent ~~should~~ shall:

- 1) recover all visible debris from exterior areas;
- 2) HEPA vacuum all porches that have been abated; and
- 3) wet wash all surfaces in the work area, including woodwork, windows, window wells, and floors, with a solution containing trisodium phosphate mixed according to the manufacturer's directions; ~~or a phosphate-free lead dissolving detergent~~.

(q) Waste Disposal

- 1) The owner or its agent of any dwelling who has conducted lead abatement that was prescribed by the Department or delegate agency shall contact the Illinois Environmental Protection Agency and local authorities to determine lead-based paint debris disposal requirements.
- 2) In addition, the owner or its agent ~~should~~ shall:
 - A) remove lead waste from the site of an abatement project not later than 48 hours after completing the final cleanup;
 - B) place lead-based paint chips, debris, and lead dust in double 4-mil or single 6-mil polyethylene bags, or equivalent, that are air-tight and puncture-resistant. Pieces of wood or other large items that do not fit into plastic bags shall be wrapped with double 4-mil or single 6-mil plastic sheeting and sealed;
 - C) place all disposable cleaning materials, such as sponges, mop heads, filters, disposable clothing, and brooms in double 4-mil or single 6-mil plastic bags, or equivalent, and seal;
 - D) remove plastic sheeting and tape from covered surfaces. Prior to removing the plastic sheeting, the sheeting shall be lightly misted in order to keep dust down and folded inward to form tight small bundles to bag for disposal. All plastic sheeting shall be placed in double

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

4-mil or single 6-mil thick plastic bags, or equivalent, and shall be sealed.

E) bag and seal vacuum cleaner bags and filters in double 4-mil or single 6-mil thick plastic bags or equivalent³;

F) place all contaminated clothing or clothing covers used during abatement and cleanup in plastic bags for disposal prior to leaving the equipment room, work site or work area³;

G) place solvent residues and residues from strippers in drums made from materials that cannot be dissolved or corroded by chemicals contained in those solvents and strippers. Solvents shall be tested to determine if they are hazardous. Solvents and caustic and acid waste shall not be stored in the same containers³;

H) contain and properly dispose of all liquid waste, including lead-dust contaminated wash water³;

I) HEPA vacuum the exterior of all waste containers prior to removing the waste containers from the work site or area and wet wipe the containers to ensure that there is no residual contamination. Containers that have been cleaned shall be moved out of the work site or area into a designated storage area³;

J) carefully place the containers into the truck or dumpster used for disposal³; and

K) ensure that all waste is transported in covered vehicles to a landfill approved by the Illinois Environmental Protection Agency.

(4) Repainting, coating, and sealing. After cleaning, the owner or its agent shall repaint all abated surfaces with a paint that is not a lead-bearing substance or coat all surfaces from which lead paint has not been removed with a Department-approved, solvent-free coating, except for those enclosed surfaces that have smooth, easily cleanable surfaces

1) After painting or coating, the owner or its agent shall repeat the cleaning process in all interior work sites, except for those painted with latex paint or coated with liquid encapsulant.

2) After completion of the cleaning, the owner or its agent shall seal all floors that have been abated in the work site with:

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

A) polyurethane;

B) gloss deck enamel;

C) a tight fitting vinyl floor covering; or

D) an equivalent impermeable material, if a smooth cleanable surface is not already present.

3) Alternative Procedures

A) The Department or delegate agency may allow an alternative procedure for abatement, containment or cleanup of a lead paint hazard, provided that the owner submits to the Department or delegate agency a written description of the alternative procedure that demonstrates to the satisfaction of the Department that the proposed alternative procedure provides a level of abatement and safety equivalent to the requirements of this Section. The delegate agency shall send a copy of the request and the delegate agency's response to the Department for its records.

B) In all cases in which the Department or delegate agency allows the use of an alternative procedure under subsection (q)(3)(A) above, the owner and occupant shall, for a one-year period after completion of the lead abatement project, permit the Department or delegate agency to enter and inspect the area of abatement for the purpose of determining the effectiveness and durability of the allowed alternative procedure.

(f) Procedures for Determining Compliance

1) The Department or delegate agency may inspect a work site or work area at any time during a lead abatement project to determine compliance with this Section.

A) The inspector shall notify the owner of the results of the inspection, and shall include the locations and characteristics of surfaces with inadequate treatment.

B) A lead abatement project shall be deemed to be in compliance with these regulations if:

i) Lead dust levels on horizontal interior surfaces are below 200 micrograms per square foot;

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

ii) All abated surfaces and all floors have been treated to provide smooth and easily cleanable surfaces; or

iii) Chemical spot tests that are performed in accordance with Department-approved protocols result in lead levels that do not exceed the permissible limits of lead specified in Section 845.50.

2) Noncompliance. If the results of a lead dust analysis conducted do not meet the requirements of subsections (5)(1)(B)(i)(ii) and (iii) above, the owner or its agent shall perform a further cleanup as described in subsection (5a). If results of the lead dust analysis meet the requirements of subsections (5)(1)(B)(i)(ii) and (iii) above, the Department or delegate agency shall state that the lead abatement project has been completed and complies with the Department's requirements. A statement of completion and compliance may not preclude the Department or delegate agency from taking any future enforcement action against the owner of the dwelling.

(b) Records. The Department or delegate agency shall ~~make and~~ retain for 6 years the following information for every lead abatement project prescribed by the Department or delegate agency:

- 1) name and address of the contractor who performed the project and the owner;
- 2) the location of the project;
- 3) a summary of abatement techniques used to comply with Department or delegate agency prescribed corrective action;
- 4) the location of the disposal site of the discarded lead-based substances which were removed by a contractor from the work site; and
- 5) the starting and completion dates of the lead abatement project.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 845.31 Lead Abatement Contractor Responsibilities

a) Licensed abatement contractors shall:

- 1) be fully knowledgeable of general renovation techniques, including lead-based paint (LBP) abatement;

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

2) train (or arrange for training of) workers and supervisors on engineering controls and good work practices relating to abatement and impressing upon them the importance of adherence to these controls and practices;

3) assure the safety of workers and preparing the worker protection plan; and

4) Assure that all work is conducted in accordance with the Act and this Part.

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 845.32 Lead Contractor/Supervisor Responsibilities

a) In addition to Section 845.31 of this Part, the Lead Contractor/Supervisor is responsible for properly implementing abatement and mitigation methods and for enforcing work practices that ensure safety, especially practices that control dust produced during abatement or mitigation of lead bearing surfaces or coatings, and shall:

- 1) Assure that all workers are licensed in accordance with Section 845.28 of this Part;
- 2) Be on-site when ever project activities are taking place; and
- 3) Assure that all work is conducted in accordance with the Act and this Part.

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 845.33 Dwellings Not Requiring Abatement or Mitigation

a) Notwithstanding any other provision of this Part, abatement and mitigation are not required in the following circumstances:

- 1) When the lowest written estimate of the cost of abatement or mitigation by a contractor licensed under this Part exceeds 100% of the most recent real property assessment by local taxing authorities; and
- 2) When the property owner enters into a stipulation with the Department which, in the sole opinion of the Department, will protect children from exposure to lead bearing substances. The stipulation shall be by written agreement, providing that any violation thereof shall cause an immediate order to abate. Examples of conditions that may be included in a stipulation entered into by the property owners and the Department are as follows:

A) the property shall be demolished;

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

- B) the property shall be vacated;
- C) the property owner shall prohibit the use of the property by individuals less than seven years of age, unless the abatement or mitigation prescribed by the Department is completed and passes the compliance test for lead levels specified in Section 845.30(s).

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 845.50 Permissible Limits of Lead in and about Dwellings, Residential Buildings or Child Care Facilities

- a) The permissible limit of lead in any lead bearing substance applied to an exterior surface of a dwelling, residential building or child care facility which is accessible to children shall be five-tenths of one percent (0.5%) lead by weight (calculated as lead metal) in the total non-volatile content of liquid paint, or lead bearing substance containing greater than one milligram per square centimeter in the dried film of paint.
- b) The permissible limit of lead in soil which is readily accessible to children shall be 1,000 micrograms of lead per gram of soil (mcg/g).
- c) The permissible limit of lead in house dust shall be the same as those in Section 845.30 (sf)(1)(B)(i)(ii) or (iii).
- d) The storage of any lead-containing or lead-contaminated article including automotive or marine batteries, battery casings or battery casing liners; scrap lead or lead solder; internal combustion engine parts; print or print faces; pottery glaze or pottery glaze containers; bullets or spent cartridges; or any other article containing or contaminated by lead in an area accessible to children shall be prohibited.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 845. Appendix E Soil Sampling

If the soil is suspected as a source of lead involved in a child lead poisoning, samples shall be submitted to a certified testing laboratory for analysis for lead ~~or be tested with a spectrum analyzer~~ to determine the lead content. Soil which is to be removed shall be submitted to a certified testing laboratory for Toxic Characteristic Leaching Procedure (TCLP) analysis. Following the TCLP analysis, appropriate permits shall be secured from the Illinois Environmental Protection Agency (IEPA). The owner or its agent shall be responsible for determining waste generator status by contacting the IEPA.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

Many different configurations of the dwelling exterior are likely to be encountered in the field, so that only general guidance can be given on the number and location of soil samples to be taken. Initial sampling shall consist of a single soil core approximately one inch in diameter and not to exceed one inch in depth. One sample is to be taken for every 10 lineal feet of the dwelling unit, evenly spaced around the dwelling unit, approximately 2 feet away from the dwelling. Samples shall also be taken in areas around the dwelling unit where children play if those areas were not included in the initial sampling. Analytical results of these samples will be used to establish the bounds of the clean-up area, or the Department will establish a level which has been determined by the Department or delegate agency to be considered no cause for action. No cause for action is based upon the analysis of investigative information gathered by the inspector at the site, and determined by the Department or delegate agency that the soil lead level does not contribute significantly to the child's lead body burden.

First, prepare a site description. Make a detailed drawing showing the boundary of the lot; the position of the main building and any other structures such as garages and storage sheds; the position of the sidewalks, driveways, and other paved areas; the position of the play areas (if clear); and the position of areas with exposed soil, roof rain spouts, and general drainage patterns.

In addition to the diagram, describe the location of the property and include the following information:

- Type of building construction;
- Condition of main building;
- Condition of the property and nature of adjacent property;
- Fencing and animals on the property;
- Apparent use of the property (e.g., used as a play area).

Soil samples should be taken with a tool, such as a spatula, which can easily be decontaminated with a wipe after each use. Use a new wipe prior to taking a new sample.

Soil samples may be combined to form one sample for each side of the dwelling, building or structure. If the building is 50 feet long, 5 soil samples shall be taken. They may then be combined to form one sample for analysis. Soil samples shall only be combined with samples from the same side of the dwelling, building or structure. Specific areas around the dwelling, building or structure which appear to be play areas which are bare soil shall be sampled, labeled, and kept separate from other samples

Samples should be placed in a whirl-pak plastic or other type of plastic bag which can be sealed. The bag should be labeled as to where the soil sample was obtained. (For example; the east side of the

DEPARTMENT OF MINES AND MINERALS
NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: Illinois Oil and Gas Act
2) Code Citation: 62 Ill. Adm. Code 240

3) Section Numbers Adopted Action

240.110 Amended
240.130 Repealed
240.131 Amended
240.132 Amended
240.133 Amended
240.160 Amended
240.170 Amended
240.220 Amended
240.230 Amended
240.250 Amended
240.310 Amended
240.320 Amended
240.330 Amended
240.370 Amended
240.380 Amended
240.460 Amended
240.470 New
240.500 Amended
240.610 Amended
240.640 Amended
240.710 Amended
240.740 Amended
240.750 Amended
240.760 Amended
240.770 Amended
240.780 Amended
240.810 Amended
240.850 Amended
240.860 Amended
240.861 New
240.880 Amended
240.920 Amended
240.950 Amended
240.1110 Amended
240.1120 Amended
240.1130 Amended
240.1140 Amended
240.1190 Amended
240.1200 Amended
240.1205 Amended
240.1210 Repealed
240.1230 Amended
240.1240 Amended
240.1250 Amended
240.1260 Amended
240.1280 Amended
240.1410 Amended
240.1440 Amended

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED AMENDMENTS

house) and sealed. Record each sample location on the diagram. Submit samples for analysis or provide a Spectrum Analyzer reading for the specific area tested. Record results from the analysis.

Alternate or temporary remedial actions include the following:

- 1) Areas may be covered with plastic or decorative rock, gravel, wood chips or similar landscaping material to a depth of three inches. Bare soil should be revegetated if possible.
- 2) Soil may be tilled under or mixed to a depth of six inches, followed by placement of three inches of clean topsoil, and reseeding or resodding. Soil additives (i.e., lime) should be considered to reduce lead bioavailability. The tilling process shall not cause excessive dust.
- 3) Clean topsoil, having a lead level at or below soil lead levels cited in Section 845.50 (b), shall be used as a fill material and the soil reseeded or resodded. Ground cover shall be used until the new grass is established.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENTS

240.1460 Amended
 240.1480 New
 240.1500 Amended
 240.1510 Amended
 240.1520 Amended
 240.1600 New
 240.1610 New
 240.1620 New
 240.1630 New
 240.1640 New
 240.1700 New
 240.1705 New
 240.1710 New
 240.1720 New
 240.1730 New
 240.1740 New
 240.1800 New
 240.1805 New
 240.1810 New
 240.1820 New
 240.1830 New
 240.1835 New
 240.1840 New
 240.1850 New
 240.1855 New
 240.1860 New
 240.1865 New
 240.1870 New
 240.1900 New
 240.1905 New
 240.1910 New
 240.1920 New
 240.1930 New
 240.1940 New
 240.1950 New
 240.1960 New

4) Statutory Authority: Implementing and authorized by Section 8 of the Illinois Oil and Gas Act. (225 ILCS 725/8).

5) Effective Date of Amendments: MAY 13 1994

6) Does this rulemaking contain an automatic repeal date? No

7) Do these amendments contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: MAY 13 1994

9) Notice of Proposed Amendments Published in Illinois Register:

17 Ill. Reg. 22128 (December 31, 1993)

10) Has JCAR issued a Statement of Objections to these rules? No

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENTS

11) Difference(s) between proposal and final version:

Section 240.10. The definition of permittee was changed so that the rules were consistent with the definition provided for in the Illinois Oil and Gas Act.

Section 240.250 was modified to ensure that any new drilling location would not endanger mining personnel.

Section 240.850 was modified to clarify the Department's intention that only concrete storage structures constructed after the May 15, 1994 effective date, will be required to install a drainage system for the monitoring and sampling of fluids. Additionally, the sampling requirement was changed from monthly to quarterly.

Section 240.1110. The definition of inactive well was modified in order to clarify the distinction between inactive and abandoned wells.

Section 240.1805 was expanded to require applicants wishing to drill within any protective boundary shown on a gas storage operators map to comply with this section.

Section 240.1820 was expanded to allow permittee to submit a copy of a prior agreement reached with the gas storage operator.

Various typographical corrections were made.

12) Have all changes agreed upon by JCAR and the agency been made as indicated in the agreement letter issued by JCAR to the agency? Yes

13) Will these Amendments replace an Emergency Amendment currently in effect?
No

14) Are there any amendments pending on this part? No

15) Summary and Purpose of Rule(s):

The proposed amendments were submitted by the Illinois Department of Mines and Minerals, Oil and Gas Division, in order to more effectively implement the requirements of the Illinois Oil and Gas Act. The proposed amendments affect Subparts A-I and K, L, N, O currently codified within 62 Ill. Adm. Code Part 240 as well as add new Subparts P-S.

Subpart A is being amended to accomplish four objectives. First, several definitions contained in the Act, along with three newly defined terms, have been added to Section 240.10 in order to facilitate understanding of the rules. Second, in order to be consistent with changes to the Act, the section detailing the Mining Board's authority to call hearings has been repealed. Third, the procedure for providing notice of hearing, along with the information to be contained in the petition for cases dealing with unitization, integration, and establishing pool-wide drilling units, has been clarified. Also, as an alternative to denying a petition, the amended rules will allow the Department to issue an interim order. Fourth, the basis for assessing civil penalties, the procedure

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENTS

for amending or issuing a replacement Director's Decision and determining when a cessation order shall be issued, have been clarified.

Subpart B is being amended to accomplish three objectives. First, an application for a permit to drill, deepen or convert to a production well must include a copy of the operative lease instrument or assignment. This section is also being amended to ensure that an applicant is aware of additional requirements placed on those drilling where the coal rights are owned or over an underground gas storage field. Second, an applicant must provide a FEIN # if applicable. Lastly, this Subpart is being amended to clarify when a permit shall not be issued, how long a permit is valid, the procedure for lost wells and for revoking a permit.

Subpart C is being amended to accomplish four objectives. First, an application for a permit to amend an existing Class II UIC well will be required. Second, this Subpart is being amended to ensure that an applicant is aware of additional requirements placed on those drilling wells over an underground gas storage field. The applicant will also be required to supply past bonding information and a FEIN number. Third, this Subpart is being amended to clarify the requirements for providing public notice of a permit application. Lastly, this Subpart is being amended to clarify when a permit shall not be issued, how long a permit is valid, the procedure for lost wells and for revoking a permit.

Subpart D is being amended to accomplish two objectives. First, the entire procedure for establishing modified drilling units is clearly articulated in this Subpart. Second, a new section has been added that contains all previously established pool-wide spacing.

Subpart E is being amended to more clearly define "drilling fluids".

Subpart F is being amended to allow for fiberglass casing, for applicants to request alternative methods of surface casing procedure, and to modify and clarify the required contact with the Department and district office during drilling. This Subpart will also require a permittee to notify the Department if a well is not drilled.

Subpart G is being amended to accomplish four objectives. First, alternative methods of surface casing procedures may be requested, also contact with the district office has been clarified. Second, operating requirements for Class II UIC wells have been amended to, require wells not equipped with tubing and packer to be temporarily abandoned or plugged, extend greater controls over the confinement of injection fluid to the permitted zones, and to clearly define Class II fluids. Third, these amendments more clearly define the procedure for establishing internal mechanical integrity. Fourth, a completion report will be required within thirty days after the expiration of the permit if the well is not drilled or converted, and a report will not be required for a workover of an existing well. Also, an annual well status report will not be required for wells that were approved for temporary abandonment or plugged during that year.

Subpart H is being amended to accomplish four objectives. First, all open top tanks will be required to have netting to prevent birds and bats

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENTS

from landing in the tank. Second, a new section is being added to allow existing pits that meet strict environmental standards to remain open. Third, this Subpart is being amended to clarify what spills are covered by the rules. Fourth, the section on concrete storage structures is being amended to further specify construction standards for the structures.

Subpart I is being amended to correct a clerical error and to conform emergency burn requirements to IEPA rules.

Subpart K is being amended to accomplish four objectives. First, a definition for inactive well is being added. Second, the criteria upon which an extension of time to plug a well in which production casing was not set has been added. Third, the rules are clarified to require that inactive wells or those that temporary abandonment status has been denied must be plugged or temporarily abandoned. Also, a permittee who is delinquent in payment of annual well fees may not have a well approved for temporary abandonment status. Fourth, the Subpart provides that the district office be contacted before plugging and that the permittee complete and file a plugging report with the District Office.

Subpart L is being amended to accomplish four objectives. First, this Subpart is modified to only cover test wells and drill holes. Second, an applicant must submit a statement indicating whether the well or drill hole is located over an underground gas storage field and if applicable comply with additional requirements. Third, Section 240.1210, Contents of Application for Permit to Drill or Convert to an Observation, Gas Storage Well or Service Well, is repealed. This section has been expanded and given its own Subpart. Fourth, an applicant will be required to identify whether they are doing business as an individual, partnership, corporation or other entity.

Subpart N is being amended to accomplish four objectives. First, the amended rules provide for the Department to initiate an administrative record correction transfer in which the Department transfers the well permit to a person who is required to be the permittee under the Act. Second, the amended rules allow the Department to request a copy of any documentation evidencing the assignment, transfer or sale of a well. Third, a permittee who has a new base lease that designates specific formations to be produced will only be responsible for those wells drilled to the specified formation. Fourth, any new permittee will be notified by the Department of any unabated violations attributed to the wells being permitted.

Subpart O is being amended to accomplish two objectives. First, this Subpart is being amended to explain when a bond is required and when it will be released. Second, Sections 240.1510 and 240.1520 are being amended so as to be consistent with one another.

A new Subpart, P, entitled Well Plugging And Restoration Program, has been added. The purpose of this Subpart is to provide rules governing the Department's powers granted in Section 19.1 of the Act. (225 ILCS 725/19.1) Pursuant to the Act, after notice and hearing, the Department may determine whether a well is leaking or abandoned and order the well

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENTS

plugged, replugged or repaired. This Subpart provides definitions for the terminology used, along with procedural requirements for notice and hearing. This Subpart also states when the Department plugs orphan wells, completes remedial work on emergency wells, and makes expenditures from the Plugging and Restoration Fund. Lastly, this Subpart will require a permittee to reimburse the Plugging and Restoration Fund for all funds expended by the Department in plugging or restoration work on the permittee's wells.

A new Subpart, Q, entitled Annual Well Fees, has been added pursuant to changes in the Act that require the payment of said fees. Subpart Q explains who is liable for payment of fees, the amount assessed, when payment is due and the procedure for contesting fees. This Subpart also implements an annual permittee reporting system whereby the permittee is required to submit an OG-1 form along with the annual well fees.

A new Subpart, R, entitled Requirements in Underground Gas Storage Fields and For Gas Storage and Observation Wells, has been added. This area of regulation was formed into a new and separate subpart in order to provide more comprehensive rules regarding permitting and drilling a well over an underground gas storage field. First, the Subpart provides definitions of terms used within this subpart. Second, each gas storage operator is required to submit, annually, a map showing the field and related information. Third, the Subpart details the permitting procedure for drilling, deepening or converting an oil or gas production well, a test hole or Class II well. Lastly, this Subpart designates when plugging is required and the procedure to be used.

A new Subpart, S, entitled Requirements for Service Wells, has been added. This area of regulation was formed into a new and separate subpart in order to provide more comprehensive rules covering wells and drill holes not regulated elsewhere in the rules but are drilled to perform a service or function in relation to oil and gas production or a gas storage project or mining activity. This Subpart regulates the application procedure, content and authority of person signing the application. Also, the requirements and conditions for issuance of a permit are detailed. Lastly, the plugging and restoration requirements for these wells are included.

16) Information and questions regarding these adopted amendments shall be directed to:

Name: John C. Henriksen
General Counsel
Address: 300 W. Jefferson, Suite 300
P.O. Box 10137
Springfield, IL 62791-0137
Telephone: (217) 782-6791

The full text of the Adopted Amendments begin on the next page:

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 62: MINING
CHAPTER I: DEPARTMENT OF MINES AND MINERALS

PART 240
THE ILLINOIS OIL AND GAS
ACT

SUBPART A: GENERAL PROVISIONS

Section	
240.10	Definitions
240.20	Prevention of Waste (Repealed)
240.30	Jurisdiction (Repealed)
240.40	Enforcement of Act (Repealed)
240.50	Delegation of Authority (Repealed)
240.60	Right of Inspection (Repealed)
240.70	Right of Access (Repealed)
240.80	Sworn Statements (Repealed)
240.90	Additional Reports (Repealed)
240.100	When Rules Become Effective (Repealed)
240.110	Notice of Rules (Repealed)
240.120	Forms (Repealed)
240.130	Hearings--Notices (Repealed)
240.131	Initiation Hearings
240.132	Integration Hearings
240.133	<u>Drilling-Unit Hearings to Establish Pool-Wide Drilling Units</u>
240.140	Violations Not Requiring Formal Action
240.150	Notice of Violation
240.160	Director's Decision
240.170	Cessation Order
240.180	Enforcement Hearings
240.190	Temporary Relief
240.195	Subpoenas

SUBPART B: PERMIT APPLICATION PROCEDURES FOR PRODUCTION WELLS

Section	
240.200	Applicability
240.210	Application for Permit to Drill, Deepen or Convert to a Production Well
240.220	Contents of Application
240.230	Authority of Person Signing Application
240.240	Additional Requirements for Directional Drilling
240.250	Issuance of Permit to Drill
240.255	Underground Injection and Disposal Projects (Recodified)
240.260	Change of Well Location
240.270	Application for Approval of Enhanced Recovery Injection and Disposal Operations (Repealed)
240.280	Duration of Underground Injection Well Orders (Repealed)

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

SUBPART C: PERMIT APPLICATION PROCEDURES FOR CLASS II UIC WELLS

Section	
240.300	Applicability
240.305	Transfer of Management (Recodified)
240.310	Application for Permit to Drill, Deepen, or Convert or Amend to a Class II UIC Well
240.320	Contents of Application
240.330	Authority of Person Signing Application
240.340	Proposed Well Construction and Operating Parameters
240.350	Groundwater and Potable Water Supply Information
240.360	Area of Review
240.370	Public Notice
240.380	Issuance of Permit
240.390	Permit Amendments
240.395	Update of Class II UIC Well Permits Issued Prior to July 1, 1987

SUBPART D: SPACING OF WELLS

Section	
240.410	Drilling Units
240.420	Well Location Exceptions within Drilling Unit
240.430	Drilling Unit Exceptions
240.440	More Than One Well on a Drilling Unit
240.450	Directional Drilling
240.460	<u>Spectral-Drilling-Units-Based-Upon-Reservoir-Characteristics Modified</u>
	Drilling Unit
	Establishment of Pool-Wide Drilling Units Based Upon Reservoir Characteristics
240.470	

SUBPART E: WELL DRILLING,
COMPLETION AND WORKOVER REQUIREMENTS

Section	
240.500	Definitions
240.510	Department Permit Posted
240.520	Drilling Fluid Handling and Storage
240.530	Completion Fluid and Completion Fluid Waste Handling and Storage
240.540	Drilling and Completion Pit Restoration
240.550	Disposal of General Oilfield Wastes

SUBPART F: WELL CONSTRUCTION, OPERATING AND REPORTING
REQUIREMENTS FOR PRODUCTION WELLS
OPERATING REQUIREMENTS

Section	
240.600	Applicability
240.610	Construction Requirements for Production Wells
240.620	Remedial Cementing of Leaking Wells

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

240.630	Operating Requirements
240.640	Reporting Requirements
240.650	Confidentiality of Well Data
240.655	Mechanical Integrity Testing for Class II Injection Wells (Repealed)
240.660	Monitoring and Reporting Requirements for Enhanced Recovery Injection and Disposal Wells (Repealed)
240.670	Avoidable Waste of Gas (Repealed)
240.680	Escape of Unburned Gas Prohibited (Repealed)

SUBPART G: WELL CONSTRUCTION, OPERATING
AND REPORTING REQUIREMENTS FOR CLASS II UIC WELLS

Section	
240.700	Applicability
240.710	Surface and Production Casing Requirements for Newly Drilled Class II UIC Wells Drilled After the Effective Date of this Section
240.720	Surface and Production Casing Requirements for Conversion to Class II UIC Wells
240.730	Surface and Production Casing Requirements for Existing Class II UIC Wells
240.740	Other Construction Requirements for Class II UIC Wells
240.750	Operating Requirements for Class II UIC Wells
240.760	Establishment of Internal Mechanical Integrity Testing for Class II UIC Wells
240.770	Establishment of External Mechanical Integrity Testing for Class II UIC Wells
240.780	Reporting Requirements for Class II UIC Wells
240.790	Confidentiality of Well Data

SUBPART H: LEASE OPERATING REQUIREMENTS

Section	
240.800	Definitions
240.805	Lease and Well Identification
240.810	Tanks and Containment Dikes
240.820	Flowlines
240.830	Power Lines
240.840	Equipment Storage
240.850	Concrete Storage Structures
240.860	Pits
240.861	Existing Pit Exemption
240.870	Leaking Unpermitted Drill Hole
240.880	Spill Notification
240.890	Crude Oil Spill Clean-Up Requirements
240.895	Produced Water Spill Clean-Up Requirements

SUBPART I: LIQUID OIL FIELD WASTE AND SPILL RELATED WASTE HANDLING AND
DISPOSAL

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

Section 240.905	Application for Permit to Operate a Liquid Oilfield Waste Transportation System
240.906	Application for a Liquid Oilfield Waste Transportation Vehicle Permit
240.910	Inspection of Vehicles (Tanks)
240.920	Issuance of Liquid Oilfield Waste Transportation System and Vehicle Permits
240.925	Liquid Oilfield Waste Recordkeeping Requirements
240.930	Produced Water
240.940	Crude Oil Bottom Sediments
240.950	Crude Oil Spill Waste Disposal
240.960	Oil Field Brine Hauling Permit Conditions (Repealed)
240.970	Inspection of Vehicles (Repealed)
240.980	Transfer of Permits (Repealed)
240.985	Revocation of Oil Field Brine Hauling Permit (Repealed)
240.990	Records and Reporting Requirements (Repealed)
240.995	Bonds--Blanket Surety Bond (Repealed)

SUBPART J: VACUUM

Section 240.1005	Requirements for Use of Vacuum Pumps
240.1010	Application for Use of Vacuum
240.1020	Notice and Hearing on Application
240.1030	Mining Board Authority

SUBPART K: PLUGGING OF WELLS

Section 240.1105	Plugging of Non-Productive Wells (Repealed)
240.1110	Definitions
240.1120	Plugging of Uncased Wells
240.1130	Plugging or Temporary Abandonment of Abandoned-or Inactive Wells and Certain Class II UIC Wells
240.1140	General Plugging Procedures and Requirements
240.1150	Specific Plugging Procedures
240.1151	Procedures for Plugging Coal Seams
240.1160	Plugging Fluid Handling and Storage
240.1170	Plugging Fluid Waste Disposal and Well Site Restoration
240.1180	Lease Restoration
240.1181	Lease Restoration Requirements
240.1190	Filing Plugging Affidavit Report

SUBPART L: REQUIREMENTS FOR OTHER TYPES OF WELLS

Section 240.1200	Applicability
240.1205	Application for Permit to Drill or Convert-to-Other Types-of a Test

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

240.1210	<u>Well Wells or Drill Hole Holes</u>
240.1220	Contents of Application for Permit to Drill or Convert to an Observation, Gas Storage Well or Service Well (Repealed)
240.1230	Contents of Application for Coal Test Hole, Mineral Test Hole, Structure Test Hole, or Coal or Mineral Groundwater Monitoring Well Authority of Person Signing Application
240.1240	Issuance of Permit
240.1250	When Wells Shall Be Plugged and Department Notification
240.1260	Plugging and Restoration Requirements
240.1270	Confidentiality
240.1280	Converting to Water Well

SUBPART M: PROTECTION OF WORKABLE COAL BEDS

Section 240.1300	Introduction
240.1305	Permit Requirements in Mine Areas
240.1310	Workable Coal Beds Defined
240.1320	Mining Board may Determine Presence of Coal Seams
240.1330	Well Locations Prohibited
240.1340	Notice to Mining Board
240.1350	Casing and Protective Work
240.1360	Operational Requirements Over Active Mine
240.1370	Inspection of Vehicles (Recodified)
240.1380	Transfer of Permits (Recodified)
240.1385	Revocation of Oil Field Brine Hauling Permit (Recodified)
240.1390	Records and Reporting Requirements (Recodified)
240.1395	Bonds--Blanket Surety Bond (Recodified)

SUBPART N: TRANSFER OF OWNERSHIP PERMIT

Section 240.1400	Definitions
240.1405	Transfer of Management (Repealed)
240.1410	Applicability
240.1420	When Notification to be Made
240.1430	Responsibilities of Current Permittee
240.1440	Responsibilities of New Permittee
240.1450	Authority of Persons Signing Notification
240.1460	Other Conditions for and Effect of Transfer
240.1470	Casing Puller's Bond (Repealed)
240.1480	Administrative Record Correction Transfer

SUBPART O: BONDS

Section 240.1500	When Required, and Amount and When Released
240.1510	Definitions
240.1520	Bond Requirements

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

Forfeiture of Bonds

SUBPART P: WELL PLUGGING AND RESTORATION PROGRAM

Section
240.1600
240.1610
240.1620
240.1630
240.1640

Definitions
Plugging Leaking or Abandoned Wells
Plugging Orphan Wells
Emergency Wells: Remedial Work
Repayment of Funds

SUBPART Q: ANNUAL WELL FEES

Section
240.1700
240.1705
240.1710
240.1720
240.1730
240.1740

Fee Liability
Amount of Assessment
Annual Permittee Reporting
When Fees are Due
Opportunity to Contest Billing
Delinquent Permittees

SUBPART R: REQUIREMENTS IN UNDERGROUND GAS STORAGE FIELDS
AND FOR GAS STORAGE AND OBSERVATION WELLS

Section
240.1800
240.1805
240.1810
240.1820
240.1830
240.1835

Applicability
Definitions
Submission of Underground Gas Storage Field Map
Permit Requests in a Underground Gas Storage Field
Application for Permit to Drill or Convert Wells
Content of Application for Permit to Drill or Convert to an
Observation or Gas Storage Well

240.1840
240.1850
240.1855
240.1860
240.1865
240.1870

Authority of Person Signing Application
Issuance of Permit
Well Drilling Completion and Workover Requirements
Storage Field Operating Requirements
Liquid Oilfield Waste Disposal
Plugging of Gas Storage and Observation Wells

SUBPART S: REQUIREMENTS FOR SERVICE WELLS

Section
240.1900
240.1905
240.1910
240.1920
240.1930

Applicability
Application for Permit to Drill or Convert to Other Types of Wells
or Drill Holes
Contents of Application for Permit to Drill or Convert to a Service
Well
Authority of Person Signing Application
Issuance of Permit

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

240.1940 When Wells Shall Be Plugged and Department Notification
240.1950 Plugging and Restoration Requirements
240.1960 Converting to Water Well

AUTHORITY: Implementing and authorized by Sections 6 and 8a of the Illinois Oil and Gas Act (Ill. Rev. Stat. 1991, ch. 96 1/2, pars. 5409 and 5413) [225 ILCS 725/6 and 8a].

SOURCE: Adopted November 7, 1951; emergency amendment at 6 Ill. Reg. 903, effective January 15, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 5542, effective April 19, 1982; codified at 8 Ill. Reg. 2475; amended at 11 Ill. Reg. 2818, effective January 27, 1987; amended at 14 Ill. Reg. 2317, effective January 25, 1990; recodified at 14 Ill. Reg. 3053; amended at 14 Ill. Reg. 13620, effective August 8, 1990; amended at 14 Ill. Reg. 20427, effective January 1, 1991; amended at 15 Ill. Reg. 2706, effective Jan. 31, 1991; recodified at 15 Ill. Reg. 8566; recodified at 15 Ill. Reg. 11641; emergency amendment at 15 Ill. Reg. 14679, effective September 30, 1991 for a maximum of 150 days; amended at 15 Ill. Reg. 15493, effective October 10, 1991; amended at 16 Ill. Reg. 2576, effective February 3, 1992; amended at 16 Ill. Reg. 15513, effective September 29, 1992; expedited correction at 16 Ill. Reg. 18859, effective September 29, 1992; emergency amendment at 17 Ill. Reg. 1195, effective January 12, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 2217, effective February 8, 1993; amended at 17 Ill. Reg. 14097, effective August 24, 1993; amended at 17 Ill. Reg. 19923, effective November 8, 1993; amended at 18 Ill. Reg. _____, effective MAY 13 1994.

NOTE: In this Part, superscript numbers or letters are denoted by parentheses; subscript are denoted by brackets.

SUBPART A: GENERAL PROVISIONS

Section 240.10 Definitions

"Annular or casing injection/disposal well"--means a well into which fluids are injected between the surface casing and the well bore, the surface casing and the production casing, and/or the production casing and the tubing, or a well into which fluids are injected which does not have production casing, tubing and packer.

"Cement"--means all petroleum industry cements meeting the requirements set forth in "Specifications for Oil Well Cements and Cement Additives", API Standard 10A, January, 1974, published by the American Petroleum Institute, 1220 L Street, Northwest, Washington, D.C. 20005 (this incorporation does not include any later publications or editions), except as provided in Subpart K of these rules.

"Class II UIC well"--means a well into which fluids are injected:

Which are brought to the surface in connection with natural gas storage operations, or conventional oil or natural gas production

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

and may be commingled with wastewaters from gas plants which are an integral part of production operations unless those waters are classified as a hazardous waste at the time of injection; For enhanced recovery of oil or natural gas; and For storage of hydrocarbons which are liquid at standard temperature and pressure.

"Convert"--means to change an oil, gas, Class II UIC, water supply, observation or gas storage well to another of those types of wells, requiring the issuance of a new permit.

"Department"--means the Department of Mines and Minerals of the State of Illinois. (Ill. Rev. Stat. 1991, ch. 96 1/2, par. 5401) [225 ILCS 725/1]

"Directional Drilling"-- means the controlled directional drilling when the bottom of the well bore is directed away from the vertical position.

"Disposal Well"--means a Class II UIC well into which fluids brought to the surface in connection with oil or natural gas production are injected into a non-productive oil or gas zone for purposes other than enhanced oil recovery.

"District Office"--means the Department's office for the district in which the well is located.

"Enhanced Oil Recovery"--means any secondary or tertiary recovery method used in an effort to recover hydrocarbons from a pool by injection of fluids, gases or other substances to maintain, restore or augment natural reservoir energy, or by introducing gases, chemicals, other substances or heat or by in-situ combustion, or by any combination thereof. (Ill. Rev. Stat. 1991, ch. 96 1/2, par. 5401) [225 ILCS 725/1]

"Enhanced Oil Recovery Injection Well"--means a Class II UIC well used for enhanced oil recovery.

"Flowline"--means all injection, produced water and oil flow lines located within the boundaries of a lease or unit, or gathering lines between leases to a centralized storage area, or to the point where the lines connect with a primary transportation pipeline.

"Fresh Water"--means surface and subsurface water in its natural state useful for drinking water for human consumption, domestic livestock, irrigation, industrial, municipal and recreational purposes, and which will support aquatic life and contains less than 10,000 mg/liter total dissolved solids.

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

"General Oilfield Waste"--means paper, trash, only tags, chemical containers, oil filters and gaskets, used motor oil, hydraulic fluids, diesel fuels and other similar wastes generated during completion, production and plugging activities.

"Liquid Oilfield Waste"--means oilfield brines, produced waters, tank and pit bottom sediments, and drilling and completion fluids, to the extent those wastes are now or hereafter exempt from the provisions of Subtitle C of the Federal Resource Conservation Recovery Act of 1976. (Ill. Rev. Stat. 1991, ch. 96 1/2, par. 5414.1) [225 ILCS 725/8c]

"Liquid Oilfield Waste Hauler"--means a person holding a permit to operate a liquid oilfield waste transportation system.

"Orphan Well"--means a well for which: (1) No fee assessment under Section 19.7 of the Act has been paid or no other bond coverage has been provided for 2 consecutive years; (2) no oil or gas has been produced from the well or from the lease or unit on which the well is located for 2 consecutive years; and (3) no permittee or owner can be identified or located by the Department. Orphaned wells include wells that may have been drilled for purposes other than those for which a permit is required under the Act if the well is a conduit for oil or salt water intrusions into fresh water zones or onto the surface which may be caused by oil and gas operations. (Ill. Rev. Stat. 1991, ch. 96 1/2, par. 5401) [225 ILCS 725/1]

"Owner"--means the person who has the right to drill into and produce from any pool, and to appropriate the production either for himself or for himself and another, or others, excluding the mineral owner's royalty if the right to drill and produce has been granted under an oil and gas lease. [225 ILCS 725/1]

"Permit"--means the Department's written authorization allowing a well or test hole to be drilled, deepened, converted and/or operated.

"Permittee"--means the person or entity holding the permit--and--listed on--the--bond--as--principal person holding or required to hold the permit, and who is also responsible for paying assessments in accordance with Section 19.7 of the Act and, where applicable, executing and filing the bond associated with the well as principal. When the ownership of the right to drill for and produce oil or gas consists of fractional undivided working interests, the permit shall be issued to an owner designated under an operating or other similar agreement as having the full rights and responsibility for operating the well. In the absence of such agreement, the permit shall be issued to an owner designated by the majority in interest of the owners of the well. [225 ILCS 725/1]

"Person"--means any natural person, corporation, association,

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

partnership, governmental agency or other legal entity, receiver, trustee, guardian, executor, administrator, fiduciary or representative of any kind. [225 ILCS 725/11]

"Pool"---means a natural underground reservoir containing, in whole or in part, a natural accumulation of oil or gas, or both. Each productive zone or stratum of a general structure, which is completely separated from any other zone or stratum in the structure, is deemed a separate "pool" as used herein. [225 ILCS 725/11]

"Produced Water"---means water regardless of chloride and total dissolved solids (TDS) content which is produced in conjunction with oil and/or natural gas production and natural gas storage operations.

"Production Casing"---means the string of casing placed in a well and used for the purpose of isolating the production or injection formation.

"Repressure"---means to increase the reservoir pressure by the introduction of gas, air or water or other fluid into the reservoir.

"Reservoir"---for the purpose of these rules, is interchangeable with the term pool.

"Rotary Drilling"---means the hydraulic process of drilling a well for oil or gas as such method is commonly used in the industry.

"Shooting"---means the exploding of nitroglycerin or other high explosives in a well for the purpose of increasing the production of oil or gas.

"Tank"---means a vessel into which oil or water is gathered, produced or stored.

"The Act"---means the provisions of the Illinois Oil and Gas Act (Ill. Rev. Stat. 1991, ch. 96 1/2, pars. 5401 et seq.) (225 ILCS 725/1).

"Undeveloped Limits of a Mine"---means that portion of a mine where the entries have not been driven to the boundaries of the mine property.

"Vacuum"---means pressure which is reduced below the pressure of the atmosphere.

"Well"---means any drill hole required to be permitted under subsection (2) of Section 6 or Section 12 of the Act.

(Source: Amended at 18 Ill. Reg. _____, effective MAY 13 1994)

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

Section 240.130 Hearings--Notices (Repealed)

The Mining Board shall have authority to call public hearings or private hearings involving interested parties concerning matters pertaining to oil and gas activities:

a) Public Hearings

A notice of public hearing as provided by the aforementioned Act shall be given by publishing one (1) notice of the time and place thereof in at least five (5) newspapers of general circulation within the main oil-producing counties of Illinois and such notice shall be published at least ten (10) days prior to the date of such hearing.

b) Publisher's Certificate

Whenever notice of a hearing or Mining Board action is required to be published in a newspaper of general circulation, each publisher of the newspaper publishing said notice shall file with the Mining Board a copy of the published notice with an affidavit setting forth the date such notice was published in said newspaper.

c) Other Hearings

1) A notice of hearings other than public hearings may be given by mailing a notice of the time and place of such hearings by registered mail with a return receipt requested to the last known address of all persons concerned in the matter to be heard. Such notice shall be mailed at least ten (10) days prior to the date of the hearing.

2) In addition to such notice, the Mining Board may publish a notice of such hearing in one (1) issue of one (1) or more newspapers in or near the vicinity of the area involved in the matter to be heard.

(Source: Repealed at 18 Ill. Reg. _____, effective MAY 13 1994)

Section 240.131 Unitization Hearings

a) Commencement of Action

Where separately owned tracts of land are underlain by all or a portion of a common pool of oil or gas or both, an interested person may petition the Department for an order unitizing those tracts, that is to combine those tracts within a unified operation, pursuant to Section 23.2 et seq. of the Act. The petition for a unitization order shall contain the following:

- 1) A legal description of the land and geologic description of the reservoirs within the proposed unit area;
- 2) The names of all persons owning or having an interest in the oil and gas rights in the proposed unit area as of the date of filing the petition, as disclosed by the records in the office of the recorder for the county or counties in which the unit area is situated, and their addresses, if known. If the address of any person or the name of any owner is unknown, the petition shall so

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

indicate and shall state whether due diligence was used in locating such unknown address or unknown owner;

- 3) A statement of the type of operations contemplated for the unit area;
- 4) A copy of a proposed plan of unitization signed by persons owning not less than 60% of the working interest underlying the surface within the area proposed to be unitized, which the petitioner considers fair, reasonable and equitable; said plan of unitization shall include (or provide in a separate unit operating agreement, if there be more than one working interest owner, a copy of which shall accompany the petition) the following:
 - A) A plan for allocating to each separately owned tract in the unit area its share of the oil and gas produced from the unit area and not required or consumed in the conduct of the operation of the unit area or unavoidably lost; the plan shall include the participation factors for each tract and a detailed description of the methodology and supporting data used to calculate the participation factors.
 - B) A provision indicating how unit expense shall be determined and charged to the several owners, including a provision for carrying or otherwise financing any working interest owner who has not executed the proposed plan of unitization and who elects to be carried or otherwise financed, and allowing the unit operator, for the benefit of those working interest owners who have paid the development and operating costs, the recovery of not more than 150% of such person's actual share of development costs of the unit plus operating costs, with interest. Recovery of the money advanced to owners wishing to be financed, for development and operating costs of the unit, together with such other sums provided for herein, shall only be recoverable from such owner's share of unit production from the unit area.
 - C) A procedure and basis upon which wells, equipment, and other properties of the several working interest owners within the unit area are to be taken over and used for unit operations, including the method of arriving at the compensation therefor.
 - D) A plan for maintaining effective supervision and conduct of unit operations, in respect to which each working interest owner shall have a vote with a value corresponding to the percentage of unit expense chargeable against the interest of such owner. (Ill. Rev. Stat. 1991, ch. 96 1/2, par. 5440-7) [225 ILCS 725/23.3]
 - E) A summary of the total cumulative production to date, the estimated additional total recoverable reserves from the proposed unit, and the estimated total development cost and operating cost of the unit;
- 5) The name and addresses of the proposed operator or operators of

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

the unit;

- 6) A map showing the tracts or group of leases included within the proposed unit area, the location of the proposed injection well or wells and the name, permit number, and location of all oil and gas wells, including abandoned wells, active wells and dry holes and the reservoirs in which all such wells are currently completed, and the names of all operators offsetting the proposed unit area and the name, description and depth of the producing zones in those areas;
 - 7) A map showing the structure of the geologic horizon that best represents the structure of the proposed reservoirs to be unitized;
 - 8) A listing of the reservoirs to be unitized and a map showing the productive portion, thickness, and extent of each such reservoir;
 - 9) An induction or electric log of a representative well completed in the proposed unitized reservoirs;
 - 10) A description of the injection medium to be used, its source and the estimated amounts to be injected daily;
 - 11) A description of the proposed plan of development of the area included within the unit;
 - 12) An allegation of the facts required to be found by the Department under Section 23.5 of the Act. The required facts are as follows:
 - A) That the unitized management and operation is economically feasible and reasonably necessary to increase the ultimate recovery of oil and gas, to prevent waste, and to protect correlative rights;
 - B) That the value of the estimated ultimate additional recovery of oil and gas will exceed the estimated additional cost, if any, incident to conducting the unit operation;
 - C) That the areal extent of the pool or pools, or parts thereof, has been reasonably defined and determined by drilling operations, and the unitization and operation of such will have no substantially adverse effect upon the remainder of the pool or pools, or parts thereof;
 - D) That the allocation of unit production to each separately owned tract is fair, reasonable and equitable to all owners of oil and gas rights in the unit area;
 - E) That the determination and allocation of unit expense is fair, reasonable and equitable to the working interest owners; and
 - F) That the compensation or adjustment for wells, equipment and other properties of the working interest owners is fair, reasonable and equitable (Ill. Rev. Stat. 1991, ch. 96 1/2, par. 5442) [225 ILCS 725/23.5].
- b) Execution and Filing
- 1) The petition for an order creating a unit pursuant to Section 23.3 et seq. of the Act shall be filed with the Illinois Department of Mines and Minerals, Oil and Gas Division, 300 West

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

Jefferson, Suite 300, P.O. Box 10140, Springfield, Illinois 62791-0140. The petition shall be deemed filed when it is received by the Department, Oil and Gas Division.

- 2) Every petition shall be signed by the petitioner or his representative and his address shall be stated thereon. The signature of the petitioner or his representative constitutes a certificate by him that he has read the petition and that to the best of his knowledge, information and belief there is good ground to support the same.

c) Notice of Hearing

- 1) Upon the receipt of a petition for unitization, the Department shall fix the time and place for a public hearing, which shall be no less than 30 days nor more than 60 days after the date of the filing of said petition. The Department shall prepare a notice of hearing, which shall issue in the name of the State of Illinois and shall be signed by the Director. Such notice shall specify the number and style of the proceedings, the time and place of the hearing, the purpose of the hearing, the name of the petitioner, and a legal description of the lands contained within the proposed unit area. (Ill. Rev. Stat. 1991, ch. 96 1/2, par. 5441-7) [225 ILCS 725/34.4] The notice shall also state that any interested person may file an entry of appearance in the hearing by submitting such entry of appearance in writing to the Department and that thereafter such person shall be deemed a party of record in the proceeding.

- 2) The Department shall mail such notice to the Petitioner who shall then serve such notice in the following manner:

A) By mailing such notice by U.S. Postal service certified mail, return receipt requested, directed to the persons named in the petition at their last known addresses at least 20 days prior to the hearing; and

B) By publication of such notice for service on those persons whose addresses are unknown or whose names are unknown, once each week for 2 consecutive weeks, with the first notice appearing at least 20 days prior to the hearing, in a newspaper of general circulation published in each county containing some portion of the proposed unit area. (Ill. Rev. Stat. 1991, ch. 95 1/2, par. 5441-7) [225 ILCS 725/23.4]

- 3) Whenever the Department shall determine that a notice of hearing should be served upon a person because the granting or denying of the relief requested in the petition would materially affect such person's rights or property, the Department shall cause notice to be sent to such person, as provided in this subsection.

d) Pre-Hearing Conferences

- 1) Upon his own motion or the motion of a party, the Hearing Officer shall direct the parties or their counsel to meet with him for a conference in order to:

A) Simplify the factual and legal issues presented by the hearing request;

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

- B) Receive stipulations, admissions of fact and of the contents and authenticity of documents;
- C) Exchange lists of witnesses the parties intend to have testify and copies of all documents the parties intend to introduce into evidence at the hearing; and
- D) Discuss and resolve such other matters as may tend to expedite the disposition of the hearing request and to assure a just conclusion thereof.

- 2) Pre-hearing conferences may be held by telephone conference if such procedure is acceptable to all parties.

e) Hearing

- 1) Conduct of Hearing: Every hearing shall be conducted by a Hearing Officer designated by the Director. The Hearing Officer shall take all necessary action to avoid delay, to maintain order and to develop a clear and complete record, and shall have all powers necessary and appropriate to conduct a fair hearing and to render a decision on the petition, including the following:

A) To administer oaths and affirmations;

B) To receive relevant evidence;

C) To regulate the course of the hearing and the conduct of the parties and their counsel therein;

D) To consider and rule upon procedural requests;

E) To examine witnesses and direct witnesses to testify, limit the number of times any witness may testify, limit repetitive or cumulative testimony and set reasonable limits on the amount of time each witness may testify; and

F) To require the production of documents or subpoena the appearance of witnesses, either on the Hearing Officer's own motion or for good cause shown on motion of any party of record. The Hearing Officer may require that relevant documents be produced to any party of record on his own motion or for good cause shown on motion of any party of record.

- 2) Every interested person wishing to participate at the hearing shall enter his appearance by stating his name and address. Thereafter, such person shall be deemed a party of record.

- 3) All participants in the hearing shall have the right to be represented by counsel.

- 4) The Hearing Officer shall allow all parties to present statements, testimony, evidence and argument as may be relevant to the proceeding.

- 5) At least one representative of the Department shall appear at any hearing held under this Section and shall be given the opportunity to question parties or otherwise elicit such information as is necessary to reach a decision on the petition.

- 6) Preliminary Matters: Where applicable, the following shall be addressed prior to receiving evidence:

A) The petitioner may offer preliminary exhibits, including documents necessary to present the issues to be heard,

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

notices, proof of service of the notice of hearing, proof of publication and orders previously entered in the cause.

- B) Ruling may be made on any pending motions.
- C) Any other preliminary matters appropriate for disposition prior to presentation of evidence.

f) Evidence

- 1) Admissibility: A party shall be entitled to present his case by oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts. Any oral or documentary evidence may be received but the presiding Hearing Officer shall exclude evidence which is irrelevant, immaterial or unduly repetitious. The rules of evidence and privilege applied in civil cases in the courts of the State of Illinois shall be followed; however, evidence not admissible under such rules of evidence may be admitted, except where precluded by statute, if it is of a type commonly relied upon by reasonable, prudent men in the conduct of their affairs. Subject to these requirements, when a hearing will be expedited and the interests of the parties will not be prejudiced, a Hearing Officer shall allow evidence to be received in written form.

- 2) Official Notice: Official notice may be taken of any material fact not appearing in evidence in the record if the circuit courts of this State could take judicial notice of such fact. In addition, notice may be taken of generally recognized technical or scientific facts within the Department's specialized knowledge.

- 3) Order of Proof: The petitioner shall open the proof. Other parties of record shall be heard immediately following the petitioner. The Hearing Officer or Department representatives may examine any witnesses. In all cases, the Hearing Officer shall designate the order of proof and may limit the scope of examination or cross-examination.

- 4) Briefs: The Hearing Officer may require or allow parties to submit written briefs to the Hearing Officer within 10 days after the close of the hearing or within such other time as the Hearing Officer shall determine as being consistent with the Department's responsibility for an expeditious decision.

g) Record of Proceedings; Testimony

The Department shall provide at its expense a certified shorthand reporter to take down the testimony and preserve a record of all proceedings at the hearing. Any person testifying shall be required to do so under oath. However, relevant unsworn statements, comments and observations by any interested person may be heard and considered by the Department as such and included in the record.

h) Postponement or Continuance of Hearing

A hearing may be postponed or continued for due cause by the Hearing Officer upon his own motion or upon the motion of a party to the hearing. A motion filed by a party to the hearing shall set forth

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

facts attesting that the request for continuance is not for the purpose of delay. Except in the case of an emergency, motions requesting postponement or continuance shall be made in writing and shall be received by all parties to the hearing at least 3 business days prior to the scheduled hearing date. All parties involved in a hearing shall avoid undue delay caused by repetitive postponements or continuances so that the subject matter of the hearing may be resolved expeditiously.

i) Default

If a party, after proper service of notice, fails to appear at the pre-hearing conference or at a hearing, and if no continuance is granted, the Department may then proceed to make its decision in the absence of such party. If the failure to appear at such pre-hearing conference or hearing is due to an emergency situation beyond the parties' control, and the Department is notified of such situation on or before the scheduled pre-hearing conference or hearing, the pre-hearing conference or hearing will be continued or postponed pursuant to Section 240.130(h). Emergency situations include sudden unavailability of counsel, sudden illness of a party or his representative, or similar situations beyond the parties' control.

j) Order

- 1) Upon the conclusion of any hearing held under this Section, the Hearing Officer, after consultation with the Department representatives, shall prepare an order disposing of the petition, which shall be presented to the Director for entry. The Department shall render a decision within 30 days after the hearing unless all parties that have appeared agree to waive this requirement.

- 2) The order shall grant the petition for unitization if based on the record the Hearing Officer finds all of the following:

- A) That the unitized management and operation is economically feasible and reasonably necessary to increase the ultimate recovery of oil and gas, to prevent waste, and to protect correlative rights;
- B) That the value of the estimated ultimate additional recovery of oil and gas will exceed the estimated additional cost, if any, incident to conducting the unit operation;
- C) That the areal extent of the pool or pools, or parts thereof, has been reasonably defined and determined by drilling operations, and the unitization and operation of such will have no substantially adverse effect upon the remainder of the pool or pools, or parts thereof;
- D) That the allocation of unit production to each separately owned tract is fair, reasonable and equitable to all owners of oil and gas rights in the unit area;
- E) That the determination and allocation of unit expense is fair, reasonable and equitable to the working interest owners; and
- F) That the compensation or adjustment for wells, equipment and

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

other properties of the working interest owners is fair, reasonable and equitable. (Ill. Rev. Stat. 1991, ch. 96 1/2, par. 5442) [225 ILCS 725/23.5]-

3) If the petition is granted the order shall provide for the authorization of the unit and unitized operation, as proposed by the petitioner, upon such terms and conditions as may be shown by the evidence to be fair, reasonable, equitable and which are necessary or proper to protect and safeguard the respective rights and obligations of the working interest owners and royalty owners, and for the protection of correlative rights and the prevention of waste. The order shall state the time the unit operation shall become effective and the manner in which and the circumstances under which the unit operation shall terminate.

4) Except as provided in subsection (j)(5) below, the order shall deny and dismiss the petition for unitization if based on the record the Hearing Officer finds that the petitioner has failed to establish the requirements for formation of a unit set forth in subsection (j)(2) above. An order denying and dismissing a petition for unitization shall be entered within thirty (30) days after the hearing. Such order shall set forth the reasons for dismissal, and the same shall be promptly filed by the petitioner, if notice was filed under paragraph (2) of Section 23.3 of the Act, in the recorder's office of the county or counties wherein the land is situated.

5) As an alternative to denying the petition for unitization, the Department may issue an interim order outlining the substantive deficiencies that must be cured by the Petitioner in order to avoid dismissal. If the Petitioner supplies the information requested by the Department, a new hearing shall be scheduled in order to examine such documents. If the Petitioner fails to comply with the interim order, the petition shall be denied. The Department shall send notice of such hearing to all parties of record.

k) Approval of plan of unitization--effective date of order
No order of the Department providing for unit operations shall become effective unless and until the plan of unitization has been approved in writing by those persons who, under the order, will be required to pay at least 75% of the unit expense, and also by the persons owning at least 75% of the unit production or proceeds thereof that will be credited to interests which are free of unit expense, including but not limited to, royalties, overriding royalties, carried interests, net profit interests, and production payments, and the Director has made such a finding, either in the order providing for unit operations or in a supplemental order, that the plan of unitization has been so approved; provided, however, that if any person is obligated to pay 75% or more, but less than 100% of the unit expense, the approval of that person and at least one other such person shall be required; and if one person entitled to production or proceeds thereof will be credited to interests which are free of unit expense, owns 75% or

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

more, but less than 100%, the approval of that person and at least one other such person shall be required. If the plan of unitization has not been so approved at the time the order providing for unit operations is issued, the Department shall, upon petition and notice, hold such supplemental hearings as may be required to determine if and when the plan of unitization has been so approved and shall issue a supplemental order evidencing such approval. If the requisite number of persons and the requisite percentage of interests in the unit area do not approve the plan of unitization within a period of 6 months from the date on which the order providing for unit operations is made, such order shall be revoked by the Department unless for good cause shown the Department extends said time for an additional period of time not to exceed one year. (Ill. Rev. Stat. 1991, ch. 96 1/2, par. 5445-7) [225 ILCS 725/23.8]

- 1) Notice of Order--Recordation
Within 10 days after an order has been issued, a copy of such order shall be mailed by the Department to each person or his attorney of record who has entered his appearance in the matter pursuant to which such order is issued. The petitioner shall cause to be recorded in the office of the county clerk of the county or counties in which the unit is situated a copy of the order providing for unit operations.
- m) Order--Final Administrative Decision
The Director's order is a final administrative decision of the Department, pursuant to Section 10 of the Act.

(Source: Amended at 18 Ill. Reg. _____, effective MAY 13 1994)

Section 240.132 Integration Hearings

- a) Commencement of Action

Where the oil or gas rights within a drilling unit are separately owned and the owners of those rights have not voluntarily agreed to integrate or pool those rights to develop the oil or gas, an owner may petition the Department for an order integrating those rights, pursuant to Section 22.2 of the Act. The petition for an order integrating interests shall contain the following:

- 1) The name and address of the petitioner;
- 2) The petitioner's reasons for desiring to integrate the separately owned interests;
- 3) A legal land description of the drilling unit sought to be established;
- 4) A geologic report description of the area reservoir where the proposed drilling unit is to be located indicating the potential presence of reservoirs;
- 5) A description of the interest owned by the petitioner and each person named in the petition;
- 6) The names of all persons who have not agreed to integrate their interests owning or having an interest in the oil and gas rights

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

in the proposed drilling unit as of the date of filing the petition, as disclosed by the records in the office of the recorder for the county or counties in which the drilling unit is situated, and their addresses, if known. If the address of any person is unknown, the petition shall so indicate;

- 7) A statement that the owners have not agreed to integrate their interests;
 - 8) A statement that the petitioner has exercised due diligence to locate each owner and that a bona fide effort was made to reach an agreement with each owner as to how the unit would be developed;
 - 9) A statement that no action has been commenced by the owners seeking permission to drill pursuant to the provisions of the Oil and Gas Rights Act (Ill. Rev. Stat. 1991, ch. 96 1/2, par. 4901 et seq.) [765 ILCS 520*1];
 - 10) Any other information relevant to protect correlative rights of the parties sought to be affected by the order.
- b) Execution and Filing
- 1) The petition for an order requiring integration pursuant to Section 22.2 of the Act shall be filed with the Illinois Department of Mines and Minerals, Oil and Gas Division, 300 West Jefferson, Suite 300, P.O. Box 10140, Springfield, Illinois 62791-0140. The petition shall be deemed filed when it is received by the Department, Oil and Gas Division.
 - 2) Every petition shall be signed by the Petitioner or his representative and his address shall be stated thereon. The signature of the petitioner or his representative constitutes a certificate by him that he has read the petition and that to the best of his knowledge, information and belief there is good ground to support the same.

c) Notice of Hearing

- 1) Upon the receipt of a petition for integration, the Department shall fix the time and place for a hearing.
- 2) The Department shall prepare a notice of hearing which shall issue in the name of the State of Illinois and shall be signed by the Director. Such notice shall specify the number and style of the proceeding, the time and place of the hearing, the purpose of the hearing, the name of the petitioner, and a legal description of the lands embraced within the proposed drilling unit. The notice shall also state that any interested person may file an entry of appearance in the hearing by submitting such entry of appearance in writing to the Department and that thereafter such person shall be deemed a party of record in the proceeding.
- 3) The Department shall mail such notice to the Petitioner who shall then serve such notice in the following manner:
 - A) By mailing such notice by U.S. Postal service certified mail, return receipt requested, directed to the persons named in the petition at their last known addresses at least 20 days prior to the hearing; and

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

- B) By publication of such notice for service on those persons whose addresses are unknown or whose names are unknown, once each week for 2 consecutive weeks, with the first notice appearing at least 20 days prior to the hearing in a newspaper of general circulation published in each county containing some portion of the proposed integrated unit.
 - 4) Whenever the Department shall determine that a notice of hearing should be served upon a person because the granting or denying of the relief requested in the petition would materially affect such person's rights or property, the Department shall cause notice to be sent to such person, as provided in this subsection.
- d) Pre-Hearing Conferences
- 1) Upon his own motion or the motion of a party, the Hearing Officer shall direct the parties or their counsel to meet with him for a conference in order to:
 - A) Simplify the factual and legal issues presented by the hearing request;
 - B) Receive stipulations, admissions of fact and the contents and authenticity of documents;
 - C) Exchange lists of witnesses the parties intend to have testify and copies of all documents the parties intend to introduce into evidence at the hearing; and
 - D) Discuss and resolve such other matters as may tend to expedite the disposition of the hearing request and to assure a just conclusion thereof.
 - 2) Pre-hearing conferences may be held by telephone conference if such procedure is acceptable to all parties.
- e) Hearing
- 1) Conduct of Hearing: Every hearing shall be conducted by a Hearing Officer designated by the Director. The Hearing Officer shall take all necessary action to avoid delay, to maintain order and to develop a clear and complete record, and shall have all powers necessary and appropriate to conduct a fair hearing and to render a decision on the petition, including the following:
 - A) To administer oaths and affirmations;
 - B) To receive relevant evidence;
 - C) To regulate the course of the hearing and the conduct of the parties and their counsel therein;
 - D) To consider and rule upon procedural requests;
 - E) To examine witnesses and direct witnesses to testify, limit the number of times any witness may testify, limit repetitive or cumulative testimony and set reasonable limits on the amount of time each witness may testify; and
 - F) To require the production of documents or subpoena the appearance of witnesses, either on the Hearing Officer's own motion or for good cause shown on motion of any party of record. The Hearing Officer may require that relevant documents be produced to any party of record on his own motion or for good cause shown on motion of any party of

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

record.

- 2) Every person appearing shall enter his appearance by stating his name and address. Thereafter, such person shall be deemed a party of record.
- 3) All participants in the hearing shall have the right to be represented by counsel.
- 4) The Hearing Officer shall allow all parties to present statements, testimony, evidence and argument as may be relevant to the proceeding.
- 5) At least one representative of the Department shall appear at any hearing held under this Section and shall be given the opportunity to question parties or otherwise elicit such information as is necessary to reach a decision on the petition.
- 6) Preliminary Matters: Where applicable, the following shall be addressed prior to receiving evidence:
 - A) The petitioner may offer preliminary exhibits, including documents necessary to present the issues to be heard, notices, proof of publication and orders previously entered in the cause.
 - B) Ruling may be made on any pending motions.
 - C) Any other preliminary matters appropriate for disposition prior to presentation of evidence.

f) Evidence

- 1) Admissibility: A party shall be entitled to present his case by oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts. Any oral or documentary evidence may be received but the presiding Hearing Officer shall exclude evidence which is irrelevant, immaterial or unduly repetitious. The rules of evidence and privilege applied in civil cases in the courts of the State of Illinois shall be followed; however, evidence not admissible under such rules of evidence may be admitted, except where precluded by statute, if it is of a type commonly relied upon by reasonable, prudent men in the conduct of their affairs. Subject to these requirements, when a hearing will be expedited and the interests of the parties will not be prejudiced, a Hearing Officer shall allow evidence to be received in written form.
- 2) Official Notice: Official notice may be taken of any material fact not appearing in evidence in the record if the circuit courts of this State could take judicial notice of such fact. In addition, notice may be taken of generally recognized technical or scientific facts within the Department's specialized knowledge.
- 3) Order of Proof: The petitioner shall open the proof. Other parties of record shall be heard immediately following the petitioner. The Hearing Officer or Department representatives may examine any witnesses. In all cases, the Hearing Officer shall designate the order of proof and may limit the scope of

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

examination or cross-examination.

- 4) Briefs: The Hearing Officer may require or allow parties to submit written briefs to the Hearing Officer within 10 days after the close of the hearing or within such other time as the Hearing Officer shall determine as being consistent with the Department's responsibility for an expeditious decision.
- g) Record of Proceedings; Testimony
The Department shall provide at its expense a certified shorthand reporter to take down the testimony and preserve a record of all proceedings at the hearing. Any person testifying shall be required to do so under oath. However, relevant unsworn statements, comments and observations by any interested person may be heard and considered by the Department as such and included in the record.
- h) Postponement or Continuance of Hearing
A hearing may be postponed or continued for due cause by the Hearing Officer upon his own motion or upon the motion of a party to the hearing. A motion filed by a party to the hearing shall set forth facts attesting that the request for continuance is not for the purpose of delay. Except in the case of any emergency, motions requesting postponement or continuance shall be made in writing and shall be received by all parties to the hearing at least 3 business days prior to the scheduled hearing date. All parties involved in a hearing shall avoid undue delay caused by repetitive postponements or continuances so that the subject matter of the hearing may be resolved expeditiously.

i) Default

If a party, after proper services of notice, fails to appear at the pre-hearing conference or at a hearing, and if no continuance is granted, the Department may then proceed to make its decision in the absence of such party. If the failure to appear at such pre-hearing conference or hearing is due to an emergency situation beyond the parties' control, and the Department is notified of such situation on or before the scheduled pre-hearing conference or hearing, the pre-hearing conference or hearing be continued or postponed pursuant to Section 240.130(h). Emergency situations include sudden unavailability of counsel, sudden illness of a party or his representative, or similar situations beyond the parties' control.

j) Order

- 1) Upon the conclusion of any hearing held under this Section, the Hearing Officer, after consultation with the Department representatives, shall prepare an order disposing of the petition, which shall be presented to the Director for entry.
- 2) In making the determination of integrating separately owned interests, and determining to whom the permit should be issued, the Department may consider:
 - A) The reasons requiring the integration of separate interests;
 - B) The respective interests of the parties in the drilling unit sought to be established, and the pool or pools in the field where the proposed drilling unit is located;

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

- C) Any parties' prior or present compliance with the Act and the Department's rules; and
- D) Any other information relevant to protect the correlative rights of the parties sought to be affected by the integration order.

3) Each order integrating separately owned interests shall authorize the drilling, testing, completing, equipping, and operation of a well on the drilling unit; provide who may drill and operate the well; prescribe the time and manner in which all the owners in the drilling unit may elect to participate therein; and make provision for the payment by all those who elect to participate therein of the reasonable actual cost thereof, plus a reasonable charge for supervision and interest. Should an owner not elect to voluntarily participate in the risk and costs of the drilling, testing, completing and operation of a well as determined by the Department, the integration order shall provide either that:

A) The nonparticipating owner shall surrender a leasehold interest to the participating owners on a basis and for such terms and consideration the Department finds fair and reasonable; or

B) The nonparticipating owner shall share in a proportionate part of the production of oil and gas from the drilling unit determined by the Department, and pay a proportionate part of operation cost after the participating owners have recovered from the production of oil or gas from a well all actual costs in the drilling, testing, completing and operation of the well plus a penalty to be determined by the Department of not less than 100% nor more than 300% of such actual costs.

4) For the purpose of this Section, the owner or owners of oil and gas rights in and under an unleased tract of land shall be regarded as a lessee to the extent of a 7/8 interest in and to said rights and a lessor to the extent of the remaining 1/8 interest therein.

5) In the event of any dispute relative to costs and expenses of drilling, testing, equipping, completing and operating a well, the Department shall determine the proper costs after due notice to interested parties and a hearing thereon. The operator of such unit, in addition to any other right provided by the integration order of the Department, shall have a lien on the mineral leasehold estate or rights owned by the other owner therein and upon their shares of the production from such unit to the extent that costs incurred in the development and operation upon said unit are a charge against such interest by order of the Department or by operation of law. Such liens shall be separable as to each separate owner within such unit, and shall remain liens until the owner or owners drilling or operating the well have been paid the amount due under the terms of the integration order. (Ill. Rev. Stat. 1991, ch. 96 1/2, par. 5436-) [225 ILCS

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

725/22.2]

6) As an alternative to denying the petition for integration, the Department may issue an interim order outlining the substantive deficiencies that must be cured by the Petitioner in order to avoid dismissal. If the Petitioner supplies the information requested by the Department, a new hearing shall be scheduled in order to examine such documents. If the Petitioner fails to comply with the interim order, the petition shall be denied. The Department shall send notice of such hearing to all parties of record.

k) Notice of Order--Recordation

Within 10 days after an order has been issued, a copy of such order shall be mailed by the Department to each person or his attorney of record who has entered his appearance in the matter pursuant to which such order is issued and to each working interest owner who has not agreed to an integration. The petitioner shall cause to be recorded in the office of the county clerk of the county or counties in which the drilling unit is situated a copy of the order providing for integration of the separate interests.

l) Order--Final Administrative Decision

The Director's order is a final administrative decision of the Department, pursuant to Section 10 of the Illinois Oil and Gas Act.

(Source: Amended at 18 Ill. Reg. _____, effective MAY 13 1994.)

Section 240.133 Drilling-Unit Hearings to Establish Pool-Wide Drilling Units

a) Commencement of Action

1) Any interested person may petition the Department for a hearing to establish a drilling unit or units for the production of oil and gas or either of them for each pool to which the interested person owns some portion of the oil and gas. (Ill. Rev. Stat. 1991, ch. 96 1/2, par. 5433) [225 ILCS 725/21.1]

2) The petition for hearing to establish a drilling unit or units shall contain the following:

A) The name and address of the petitioner;

B) A legal description of the size of the drilling unit or units sought to be established;

C) A legal description of the extent of the pool reservoir to which the drilling unit or units are sought to be established;

D) A list of the names and addresses of all permittees owners of oil or gas interests in the pool reservoir as described in subsection (c) above;

E) An isopachous map of the pool? A geologic description of the pool and an isopach and structure map of the reservoir, for which the drilling unit is sought showing the productive limits of the reservoir;

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

F) A plat showing all oil and gas or water injection or storage wells completed within the pool (reservoir);
 G) ~~A--statement--of--Geologic~~ and engineering reports outlining the reasons for and data supporting the proposed size of the drilling unit or units.

3) If the establishment of a drilling unit or units would require the integration of separately owned interests in the drilling unit or units, the petitioner may contemporaneously file a petition under Section 240.132 and the matters shall then be consolidated and heard together.

b) Execution and Filing

1) The petition to establish drilling units shall be filed with the Illinois Department of Mines and Minerals, Oil and Gas Division, 300 West Jefferson, Suite 300, P.O. Box 10140, Springfield, Illinois 62791-0140. The petition shall be deemed filed when it is received by the Department, Oil and Gas Division.

2) Every petition shall be signed by the petitioner or his representative and his address shall be stated thereon. The signature of the petitioner or his representative constitutes a certificate by him that he has read the petition and that to the best of his knowledge, information and belief there is good ground to support the same.

c) Hearing--Notice

1) Upon the receipt of the petition to establish drilling units, the Department shall fix the time and place for a hearing.

2) The Department shall prepare a notice of hearing which shall issue in the name of the State of Illinois and shall be signed by the Director. Such notice shall specify the number and style of the proceeding, the time and place of the hearing, the purpose of the hearing, the name of the petitioner, and a legal description of the affected lands. The notice shall also state that any interested person may file an entry of appearance in the hearing by submitting such entry of appearance in writing to the Department and that thereafter such person shall be deemed a party of record in the proceeding.

3) The Department shall mail such notice to the Petitioner who shall then serve such notice in the following manner:

A) By mailing such notice by U.S. Postal Service certified mail with return receipt, directed to the persons named in the petition pursuant to (a)(2)(D) above at their last known addresses at least 20 days prior to the hearing; and
 B) By publication of such notice for service on those persons whose addresses are unknown or whose names are unknown and for those owners of unleased mineral rights, once each week for 2 consecutive weeks, with the first notice appearing at least 20 days prior to the hearing in a newspaper of general circulation published in each county containing some portion of the proposed integrated unit.

4) Whenever the Department shall determine that a notice of hearing

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

should be served upon a person because the granting or denying of the relief requested in the petition would materially affect such person's rights or property, the Department shall cause notice to be sent to such person, as provided in this subsection.

d) Pre-Hearing Conferences

1) Upon his own motion or the motion of a party, the Hearing Officer shall direct the parties or their counsel to meet with him for a conference in order to:

- A) Simplify the factual and legal issues presented by the hearing request;
- B) Receive stipulations, admissions of fact and the contents and authenticity of documents;
- C) Exchange lists of witnesses the parties intend to have testify and copies of all documents the parties intend to introduce into evidence at the hearing; and
- D) Discuss and resolve such other matters as may tend to expedite the disposition of the hearing request and to assure a just conclusion thereof.

2) Pre-hearing conferences may be held by telephone conference if such procedure is acceptable to all parties.

e) Hearing

1) Conduct of Hearing: Every hearing shall be conducted by a Hearing Officer designated by the Director. The Hearing Officer shall take all necessary action to avoid delay, to maintain order and to develop a clear and complete record, and shall have all powers necessary and appropriate to conduct a fair hearing and to render a decision on the petition, including the following:

- A) To administer oaths and affirmations;
- B) To receive relevant evidence;
- C) To regulate the course of the hearing and the conduct of the parties and their counsel therein;
- D) To consider and rule upon procedural requests;
- E) To examine witnesses and direct witnesses to testify, limit the number of times any witness may testify, limit repetitive or cumulative testimony and set reasonable limits on the amount of time each witness may testify;
- F) To require the production of documents or subpoena the appearance of witnesses, either on the Hearing Officer's own motion or for good cause shown on motion of any party of record.

2) Every person desiring to participate in the hearing shall enter his appearance by stating his name and address. Thereafter, such person shall be deemed a party of record.

3) All participants in the hearing shall have the right to be represented by counsel.

4) The Hearing Officer shall allow all parties to present statements, testimony, evidence and argument as may be relevant to the proceeding.

5) At least one representative of the Department shall appear at any

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

hearing held under this Section and shall be given the opportunity to question parties or otherwise elicit such information as is necessary to reach a decision on the petition.

6) Where applicable, the following shall be addressed prior to receiving evidence:

- A) The petitioner may offer preliminary exhibits, including documents necessary to present the issues to be heard, notices, proof of publication and orders previously entered in the cause.
- B) Ruling may be made on any pending motions.
- C) Any other preliminary matters appropriate for disposition prior to presentation of evidence.

F) Evidence

- 1) Admissibility: A party shall be entitled to present his case by oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts. Any oral or documentary evidence may be received but the presiding Hearing Officer shall exclude evidence which is irrelevant, immaterial or unduly repetitious. The rules of evidence and privilege applied in civil cases in the courts of the State of Illinois shall be followed; however, evidence not admissible under such rules of evidence may be admitted, except where precluded by statute, if it is of a type commonly relied upon by reasonable, prudent men in the conduct of their affairs. Subject to these requirements, when a hearing will be expedited and the interests of the parties will not be prejudiced, a Hearing Officer shall allow evidence to be received in written form.

- 2) Official Notice: Official notice may be taken of any material fact not appearing in evidence in the record if the circuit courts of this State could take judicial notice of such fact. In addition, notice may be taken of generally recognized technical or scientific facts within the Department's specialized knowledge.

- 3) Order of Proof: The petitioner shall open the proof. Other parties of record shall be heard immediately following the petitioner. The Hearing Officer or Department representatives may examine any witnesses. In all cases, the Hearing Officer shall designate the order of proof and may limit the scope of examination or cross-examination.

- 4) Briefs: The Hearing Officer may require or allow parties to submit written briefs to the Hearing Officer within 10 days after the close of the hearing or within such other time as the Hearing Officer shall determine as being consistent with the Department's responsibility for an expeditious decision.

- g) Record of proceedings; Testimony
The Department shall provide at its expense a certified shorthand reporter to take down the testimony and preserve a record of all proceedings at the hearing. Any person testifying shall be required

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

to do so under oath. However, relevant unsworn statements, comments and observations by any interested person may be heard and considered by the Department as such and included in the record.

h) Postponement or Continuance of Hearing

A hearing may be postponed or continued for due cause by the Hearing Officer upon his own motion or upon the motion of a party to the hearing. A motion filed by a party to the hearing shall set forth facts attesting that the request for continuance is not for the purpose of delay. Except in the case of an emergency, motions requesting postponement or continuance shall be made in writing and shall be received by all parties to the hearing at least 3 business days prior to the scheduled hearing date. All parties involved in a hearing shall avoid undue delay caused by repetitive postponements or continuances so that the subject matter of the hearing may be resolved expeditiously.

i) Default

If a party, after proper service of notice, fails to appear at the pre-hearing conference or at a hearing, and if no continuance is granted, the Department may then proceed to make its decision in the absence of such party. If the failure to appear at such pre-hearing conference or hearing is due to an emergency situation beyond the parties' control, and the Department is notified of such situation on or before the scheduled pre-hearing conference or hearing date, the pre-hearing conference or hearing will be continued or postponed pursuant to Section 240.130(h). Emergency situations include sudden unavailability of counsel, sudden illness of a party or his representative, or similar situations beyond the parties' control.

j) Order

- 1) Upon the conclusion of any hearing held under this Section, the Hearing Officer, after consultation with the Department representative, shall prepare an order disposing of the petition, which shall be presented to the Director for entry.

- 2) The order shall grant the petition based on the record if the Hearing Officer finds that establishing the drilling unit will prevent waste, protect the correlative rights of the owners in the pools, and prevent the unnecessary drilling of wells.

- 3) No drilling unit shall be established which requires the allocation of more than 40 acres of surface area nor less than 10 acres of surface area to an individual well for production of oil from a pool the top of which lies less than 4000 feet beneath the surface (as determined by the original or discovery well in the pool) provided, however, that the Department may permit the allocation of greater acreage to an individual well and provided further that the spacing of wells in any pool the top of which lies less than 4000 feet beneath the surface (as determined by the original or discovery well in the pool) shall not include the fixing of a pattern except with respect to the 2 nearest external boundary lines of each drilling unit. (Ill. Rev. Stat. 1991, ch. 96 1/2, par. 5433-) [225 ILCS 725/21.1]

ILLINOIS REGISTER
DEPARTMENT OF MINES AND MINERALS
NOTICE OF ADOPTED AMENDMENT(S)

- 4) The drilling units established by an order under this Section shall be of approximately uniform size and shape for each entire pool, except that where circumstances reasonably require, the Department may grant exceptions to the size or shape of any drilling unit or units, in which case the order shall state the particular circumstances that require such exception.
- 5) Each order establishing drilling units shall specify the size and shape of the unit, which shall be such as will result in the efficient and economical development of the pool as a whole, and subject to the provisions of subsection (3) above, the size of no drilling unit shall be smaller than the maximum area that can be efficiently and economically drained by one well.
- 6) Each order establishing drilling units for a pool shall cover all lands determined or believed to be underlain by such pool. Each order establishing drilling units may be modified by the Department to change the size thereof, or to permit the drilling of additional wells.
- 7) Each order establishing drilling units shall prohibit the drilling of more than one well on any drilling unit for the production of oil or gas from the particular pool with respect to which the drilling unit is established and subject to the provisions of subsection (3) above shall specify the location for the drilling of such well thereon, in accordance with a reasonably uniform spacing pattern, with necessary exceptions for wells drilled or drilling at the time of the application. If the Department finds, after notice and hearing, notice being made as provided in this Section to all parties of record in the proceeding, that surface conditions would substantially add to the burden or hazard of drilling such well at the specified location, or for some other reason it would be inequitable or unreasonable to require a well to be drilled at the specified location, the Department may issue an order permitting the well to be drilled at a location other than that specified in the order establishing drilling units.
- 8) After the date of the notice for a hearing called to establish drilling units, no additional well shall be commenced for production from the pool until the order establishing drilling units has been issued unless the commencement of the well is authorized by order of the Department.
- 9) After an order establishing a drilling unit or units has been issued by the Department, the commencement of drilling of any well or wells into the pool with regard to which such unit was established for the purpose of producing oil or gas therefrom, at a location other than that authorized by the order, or by order granting exception to the original spacing order is hereby prohibited. (Ill. Rev. Stat. 1991, ch. 96 1/2, par. 5433-) [225 ILCS 725/21.1]
- 10) As an alternative to denying the petition for a drilling unit, the Department may issue an interim order outlining the

ILLINOIS REGISTER
DEPARTMENT OF MINES AND MINERALS
NOTICE OF ADOPTED AMENDMENT(S)

substantive deficiencies that must be cured by the Petitioner in order to avoid dismissal. If the Petitioner supplies the information requested by the Department, a new hearing shall be scheduled in order to examine such documents. If the Petitioner fails to comply with the interim order, the petition shall be denied. The Department shall send notice of such hearing to all parties of record.

k) Order--Final Administrative Decision
The Director's order is a final administrative decision of the Department, pursuant to Section 10 of the Act.

(Source: Amended at 18 Ill. Reg. _____, effective
MAY 18 1994)

Section 240.160 Director's Decision

- a) Upon receipt of a notice of violation, the Director of the Department, or his designee, shall conduct an investigation and may affirm, vacate or modify the notice of violation. In determining whether to take action in addition to remedial action necessary to abate a violation the Director shall consider
 - 1) the person's or permittee's history of previous violations, including violations at other locations and under other permits;
 - A) A violation shall not be counted if the notice or order is the subject of pending administrative review by the Department under Section 240.180 or if the time to request such review has not expired, and thereafter it shall be counted for only two years after the date of the Department's final administrative decision or a final judicial decision affirming the Department's decision;
 - B) No violation for which the notice or order has been vacated shall be counted;
 - 2) the seriousness of the violation, including any irreparable harm to the environment or damage to property;
 - 3) the degree of culpability of the person or permittee; and
 - 4) the existence of any additional conditions or factors in aggravation or mitigation of the violation, including information provided by the person or permittee.
- b) Modification of the notice of violation may include:
 - 1) any different or additional remedial actions necessary to abate the violation, as set forth in Section 240.150(b)(2), and the time within which the violation must be abated;
 - 2) the assessment of civil penalties not to exceed \$1,000.00 a day for each and every act of violation;
 - 3) probationary or permanent modification or conditions on the permit which may include special monitoring or reporting requirements; and
 - 4) revocation of the permit. (Ill. Rev. Stat. 1991, ch. 96 1/2, par. 5413) [225 ILCS 725/8a]

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

c) The Director shall determine whether or not to assess civil penalties based on the factors set forth in subsection (a) above. If a penalty is assessed by the Department, the penalty shall be computed as follows:

1) Administrative violations, including, but not limited to, the failure to file the reporting, permitting and bond transfer forms required by the Department, the failure to submit information required by the Department pursuant to well file reviews ~~and the failure to post--lease--signs~~, shall be assessed on an permittee-specific basis. The Department may assess up to \$250.00 for an administrative violation as follows:

- A) History of Violations:
- i) No previous violation of the same rule: add \$25.00.
 - ii) One previous violation of the same rule: add \$50.00.
 - iii) Two previous violations of the same rule: add \$100.00.
 - iv) Three or more previous violations of the same rule: add \$150.00.

B) Permittee's Actions:

i) If the permittee was previously notified of the violation using a routine inspection report (Form OG-22) in accordance with Section 240.140 or correspondence from the Department and failed to comply: add \$100.00.

ii) If the permittee abated the violation within the specified time frame: subtract \$200.00.

iii) If the permittee either substantially abated the violation within the specified time frame or, if all corrective actions were not completed yet the permittee requested and received an extension of the abatement deadline: subtract \$100.00.

2) Operating violations, including, but not limited to, pressure on the annulus, the failure to maintain the well and flow line in a leak-free condition, the failure to maintain lined pits, the failure to configure the wellhead for the inspection of the annulus, the failure to comply with specified permit conditions, and the failure to report or clean up a spill and the failure to maintain containment dikes, maintain required performance bond in force for the wells under permit and pay annual well fees, shall be assessed on a permittee-specific basis. Multiple incidents of the same violation against a permittee on the same occasion shall not be considered separate violations. The Department may assess up to \$500.00 for an operating violation as follows:

- A) History of Violations:
- i) No previous violation of the same rule: add \$50.00.
 - ii) One previous violation of the same rule: add \$100.00.
 - iii) Two or more previous violations of the same rule: add \$150.00.

B) Seriousness:

- i) If the violation caused environmental damage to surface water, ground water or wildlife: add \$200.00.
- ii) If the violation created a hazard to the safety of any

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

- i) If the violation had a low degree of probability to cause environmental damage to soil and/or land surface, vegetation or crops, surface water, ground water, livestock or wildlife: add \$50.00; or, if the violation had a high degree of probability to cause environmental damage to soil and/or land surface, vegetation or crops, surface water, ground water, livestock or wildlife: add \$100.00; or, if the violation caused environmental damage to soil and/or land surface, vegetation or crops, surface water, ground water, livestock or wildlife: add \$200.00.
- ii) If the violation created a hazard to the safety of any person, such as the emission of hydrogen sulfide gas: add \$200.00.

C) Permittee's Actions:

i) If the permittee was previously notified of the violation using a routine inspection report (Form OG-22) in accordance with Section 240.140 or correspondence from the Department and failed to comply: add \$100.00.

ii) If the violation occurred as a result of the permittee's lack of reasonable care: add \$50.00; or, if the violation occurred as a result of the permittee's deliberate conduct: add \$200.00.

iii) If the permittee abated the violation within the specified time frame: subtract \$250.00.

iv) If the permittee either substantially abated the violation within the specified time frame, or, if all corrective actions were not completed yet the permittee requested and received an extension of the abatement deadline: subtract \$100.00.

3) Drilling or operating a well required to be permitted under the Act without first obtaining a permit from the Department, operating a well required to be permitted under the Act without first obtaining the Department's transfer of operating authority or operating an annular or casing injection/disposal well, operating a well in violation of Department spacing requirements, or operating wells by a permittee for whom funds have been expended from the PRF Fund, shall result in the assessment of up to a \$1,000.00 penalty for each and every such violation. Assessments for these violations are computed as follows:

- A) History of Violations:
- i) No previous violation of the same rule: add \$100.00.
 - ii) One or more previous violation of the same rule: add \$500.00.

B) Seriousness:

- i) If the violation caused environmental damage to surface water, ground water or wildlife: add \$200.00.
- ii) If the violation created a hazard to the safety of any

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

person, such as the emission of hydrogen sulfide gas: add \$200.00.

C) Permittee's Action:

- i) If the violation occurred as a result of the permittee's lack of reasonable care: add \$100.00; or, if the violation occurred as a result of the permittee's deliberate conduct: add \$500.00.
- ii) If the permittee abated the violation within the specified time frame: subtract \$250.00.
- iii) If all corrective actions were not completed, yet the permittee requested and received an extension of the abatement deadline: subtract \$100.00.

d) Any responsible person who willfully or knowingly authorized, ordered, or carried out any violation cited in the Director's decision shall be subject, after notice, to the same actions, including civil penalties, which may be imposed on the person or permittee under this Section. (Ill. Rev. Stat. 1991, ch. 96 1/2, par. 5413) [225 ILCS 725/8a]

e) The Director or his designee shall serve the person or permittee with his decision at the conclusion of his investigation. The Director's decision shall provide that the person or permittee has the right to request a hearing in accordance with Section 240.180. The Director's decision affirming, vacating or modifying the notice of violation shall be considered served in accordance with Section 8a of the Act. ~~when mailed-certified-mail--return-receipt-requested-to-the-person-or permittee-at-his-last-known-address- (Ill. Rev. Stat. 1993--ch. 96-1/2-par. 5413)-[225-ILCS-725/8a]~~

f) A Director's decision not appealed in accordance with Section 240.180 within 30 days of service shall become a final administrative decision of the Department, pursuant to Section 10 of the Act. The filing of a request for hearing under Section 240.180 shall not operate as a stay of the Director's decision.

g) The permittee may, within 30 days from the date of service of the Director's Decision, submit to the Department, in writing, any mitigating factors which permittee believes to be relevant to the violation cited in the Director's Decision.

h) Upon further investigation, the Director of the Department, or his designee, may issue an amended or replacement Director's Decision.

- 1) An Amended Director's Decision shall be issued to:
 - A) extend the amount of time provided to complete remedial action necessary to abate the violation set forth in the Director's Decision; or
 - B) reduce the civil penalty assessed in the Director's Decision.
- 2) A replacement Director's Decision shall be issued to correct an administrative error contained in the Director's Decision or the Notice of Violation.
- 3) The permittee shall have no right to hearing associated with the issuance of an amended or replacement Director's Decision.

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

gi) If the Director's decision includes the assessment of a civil penalty, and the person or permittee named in the Director's decision does not request a hearing in accordance with Section 240.180 to contest the amount of the penalty, the amount assessed shall be paid to the Department in full within 30 days of service of the Director's decision.

h) All civil penalties assessed and paid to the Department shall be deposited in the *Underground Resources Conservation Enforcement Fund*. (Ill. Rev. Stat. 1991, ch. 96 1/2, par. 5413) [225 ILCS 725/8a]

(Source: Amended at 18 Ill. Reg. _____, effective MAY 13 1994)

Section 240.170 Cessation Order

a) The Department may issue orders requiring the cessation of operations, including the plugging of a well, for either of the following reasons:

- 1) If, at the expiration of the period of time originally fixed in the Director's decision or at the expiration of any subsequent extension of time granted by the Department, the Department finds that the violation has not been abated, it may immediately order the cessation of operations or the portions thereof relevant to the violation. (Ill. Rev. Stat. 1991, ch. 96 1/2, par. 5413) [225 ILCS 725/82]

2) If the Department determines that any condition or practice exists, or that any person or permittee is in violation of any requirement of the Act or the rules adopted thereunder or any permit condition, which condition, practice or violation creates an imminent danger to the health or safety of the public, or an imminent danger of significant environmental harm or significant damage to property, any authorized employee or agent of the Department may order the immediate cessation of operations. (Ill. Rev. Stat. 1991, ch. 96 1/2, par. 5426) [225 ILCS 725/19.1]. Drilling or operating without a permit from the Department a well required to be permitted under the Act, operating a well required to be permitted under the Act without first obtaining the Department's transfer of operating authority, operating an annular or casing injection/disposal well, operating a well in violation of the Department's spacing requirements, operating wells without paying annual well fees or operating wells without maintaining the required amount of performance bond in force, or wells being operated by a permittee for whom funds have been expended from the PRF Fund in accordance with Subpart Q of this Part, constitute conditions, practices or violations mandating the issuance of a cessation order under this subsection.

b) If a responsible party cannot be readily located in the judgment of the employee or agent issuing the cessation order, the employee or agent may take any action he deems necessary to cause a cessation of operations and abatement of any violation observed. (Ill. Rev. Stat.

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

- 1991, ch. 96 1/2, par. 5426) [225 ILCS 725/19.1]
- c) *The cessation order shall be served by personal delivery to the person or permittee named in the order or by mailing it certified mail, return receipt requested, to the last known address of the person or permittee as soon as is practicably possible but in no event later than 5 days after its issuance.* (Ill. Rev. Stat. 1991, ch. 96 1/2, par. 5426) [225 ILCS 725/19.1]
- d) The cessation order shall provide that the person or permittee named in the order has the right to request a hearing in accordance with Section 240.180. The cessation order shall be considered served when personally delivered to the person or permittee named in the order or when the cessation order is mailed certified mail, return receipt requested, to the person or permittee at his last known address.
- e) *A cessation order issued under this Section shall continue in effect until modified, vacated, or terminated by the Department.* (Ill. Rev. Stat. 1991, ch. 96 1/2, par. 5413) [225 ILCS 725/8a] The filing of a request for a hearing under Section 240.180 shall not operate as a stay of the cessation order. The cessation order may be stayed by the grant of temporary relief in accordance with Section 240.190.
- f) A cessation order not appealed in accordance with Section 240.180 within 30 days of service shall become a final administrative decision of the Department, pursuant to Section 10 of the Act.

(Source: Amended at 18 Ill. Reg. _____, effective
MAY 13 1994)

SUBPART B: PERMIT APPLICATION PROCEDURES FOR PRODUCTION WELLS

Section 240.220 Contents of Application

The application for a permit to drill, deepen or convert to a production well shall include:

- The name of the well.
- The surveyed location and ground elevation of the well. A survey is not required for a converted or deepened well, a drilled out plugged hole if the original well location was surveyed, or for a well permitted under Section 240.210(d).
- A map showing:
 - the boundaries of the leasehold or enhanced oil recovery unit;
 - the exact location of the well proposed to be drilled, deepened or converted, and an outline of the proposed drilling unit;
 - the location of all producing wells previously drilled on the drilling unit; and
 - the location of all offset wells on adjacent drilling units.
- Information to show the applicant has the right to drill and to operate a well on the lands in question. The applicant shall submit copies of the operative lease instruments or assignment ~~-----at--the election of the applicant--provide the necessary information on a form prescribed by the Department.~~

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

- e) A statement as to whether such proposed well location is within the limits of any incorporated city, town, or village. If the consent of municipal authorities for the drilling of a well is required, a certified copy of the official consent must be submitted.
- f) The name and address of the drilling contractor, and the type of drilling tools or equipment to be used.
- g) If the well is located over an active mine, temporarily abandoned mine or within the undeveloped limits of a mine, or if the coal rights are owned by someone other than the lessor under the oil and gas lease, the applicant shall submit documentation establishing compliance with Section 240.1305 of this Part.
- h) If the application is for a newly drilled well located over an underground gas storage field as defined in 240.1805(c) of this Part or the gas storage rights are owned by someone other than the lessor under the oil and gas lease, the applicant shall submit documentation establishing compliance with Section 240.1820 of this Part.
- hi) The proposed depth of the well and the name of the lowest geologic formation to be tested.
- il) A statement whether the applicant has ever had a well bond forfeited by the Department, and if so when and for what well.

(Source: Amended at 18 Ill. Reg. _____, effective
MAY 13 1994)

Section 240.230 Authority of Person Signing Application

- The application for a permit to drill, deepen, or convert to a production well shall identify whether the owner of the right to drill and to operate the well is an individual, partnership, corporation or other entity, and shall contain the address and signature of the owner or person authorized to sign for such owner.
- If the owner is an individual, the application shall be signed by the individual. If the owner is a partnership, the application shall be signed by a general partner. If the owner is a corporation, the application shall be signed by an officer of the corporation.
- In lieu of the signature of the owner or such authorized person, the application may be signed by a person having a power of attorney to sign for such owner or authorized person, provided a certified copy of the power of attorney is on file with the Department or accompanies the application.
- The entity or person to whom the permit is issued shall be called the Permittee and shall be responsible for all regulatory requirements relative to the well.
- If the applicant is a corporation, the charter must authorize the corporation to engage in the permitted activity, and the corporation must be incorporated or authorized to do business in the State of Illinois.
- If the applicant has been issued a FEIN, that number must be reported on the application.

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

(Source: Amended at 18 Ill. Reg. _____, effective
MAY 13 1994)

Section 240.250 Issuance of Permit to Drill

- a) If the applicant satisfies requirements of the Act and Rules the Department shall issue a permit.
- b) A permit shall not be issued where a final administrative order of the Department is outstanding against the applicant or against a person or permittee who is an officer, director, partner or owner of more than a 5% interest of the applicant, where obligated funds from the Plugging and Restoration Fund are outstanding under Subpart P, or where annual well fees are outstanding under Subpart Q.
- c) Permits shall expire one year from the date of issuance unless acted upon by commencement of drilling, deepening or converting operations authorized by the permit, which are to be continued with due diligence, but not to exceed two (2) years from date of commencement of drilling or conversion operations, at which time the well shall be plugged, production casing set, conversion operations completed or well re-permitted. If the drilling rig is removed prior to the expiration of the permit, any further drilling or deepening shall require re-permitting.
- d) Permits are not transferable prior to the drilling of the well.
- e) If during drilling the well is lost (collapsed casing or hole, etc.), the permittee may terminate drilling and move the rig up to 30 feet from the permitted location and commence drilling operations, provided that:
 - 1) the permittee notifies the District Office prior to the move and receives approval;
 - 2) a new application and fee is submitted within ten (10) days in accordance with Section 240.220 of this Part; and
 - 3) The new location is in compliance with all other requirements of this Part.
- f) The Department shall revoke a permit that was issued in error or if the application contained an error or misrepresentation.
- g) The Department shall notify the permittee of their intent to revoke a permit effective thirty (30) days from the date of notice unless a hearing is requested in accordance with subsection (h) below.
- h) If a written objection to the revocation is filed within thirty (30) days after the date of the notice:
 - 1) A pre-hearing conference shall be held within fifteen (15) days after the receipt after the request for hearing.
 - A) A pre-hearing conference shall be scheduled in order to:
 - i) Simplify the factual and legal issues presented by the hearing request;
 - ii) Receive stipulations, admissions of fact and of the contents and authenticity of documents;
 - iii) Exchange lists of witnesses the parties intend to have testify and copies of all documents the parties intend

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

- iv) to introduce at the hearing;
- v) Set a hearing date; and
- vi) Discuss and resolve such other matters as may tend to expedite the disposition of the hearing request and to assure a just conclusion thereof.

B) Pre-hearing conferences may be held by telephone conference if such procedure is acceptable to all parties.

2) All hearings under this Subpart shall be conducted in the Department's offices located at 300 West Jefferson Street, Suite 300, Springfield, Illinois.

i) At the hearing, the Department shall present evidence in support of its determination under subsection (f) above. The permittee may present evidence contesting the Department's determination under subsection (f) above. The hearing officer may administer oaths and affirmations, subpoena witnesses and written or printed materials, compel attendance of witnesses or production of those materials, compel discovery, and take evidence.

j) Within thirty (30) days after the close of the record or the receipt of the transcript of the hearing, the Department shall render a decision.

k) The permittee's failure to request a hearing in accordance with subsection (h) shall constitute a waiver of all legal rights to contest the permit revocation decision. Upon the expiration of the time to request a hearing, the Department shall issue a final administrative decision, pursuant to Section 10 of the Act.

(Source: Amended at 18 Ill. Reg. _____, effective
MAY 13 1994)

SUBPART C: TRANSFER OF OWNERSHIP AND BONDING

Section 240.310 Application for Permit to Drill, Deepen, or Convert or Amend to a Class II UIC Well

- a) No person shall drill, deepen or convert any well for use as a Class II UIC well without a permit from the Department.
- b) Application for a permit to drill, deepen or convert to a Class II UIC well or amend existing Class II UIC well permit in accordance with Section 240.390(a) of this Part shall be made on forms prescribed by the Department. The application shall be executed under penalties of perjury, and accompanied by the non-refundable fee of \$100.00 and the required bond under Subpart L.
- c) If the application does not contain all of the required information or documents, the Department shall notify the applicant in writing. The notification shall specify the additional information or documents necessary to an evaluation of the application and shall advise the applicant that the application will be deemed denied unless the information or documents are submitted within 60 days following the date of notification.

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

- d) Any well for which a permit is required under the Act, other than a plugged well, which was drilled prior to the effective date of the Act and for which no permit has previously been issued, is required to be permitted. Application for a permit shall be made on forms prescribed by the Department. The application shall be executed under penalties of perjury, and accompanied by the required bond under Subpart L. If application is made on or before August 14, 1991, no permit fee is required, but all other requirements of this Subpart shall apply. An application made after that date shall be accompanied by the non-refundable fee of \$100.00. After August 14, 1991, any unpermitted well to which this Subpart applies will be deemed to be operating without a permit and subject to the penalties set forth in the Act. (Ill. Rev. Stat. 1990-Supp- 1991, ch. 96 1/2, par. 5418-) [225 ILCS 725/12]

(Source: Amended at 18 Ill. Reg. _____, effective MAY 13 1994)

Section 240.320 Contents of Application

The application for a permit to drill, deepen or convert shall include:

- a) The name of the well.
- b) The surveyed location and ground elevation of the well. A survey is not required for a converted or deepened well, a drilled out plugged hole if the original well location was surveyed, or for a well permitted under Section 240.310(d).
- c) A map showing:
 - 1) the boundaries of the leasehold or enhanced oil recovery unit, if applicable;
 - 2) the names of all permittees of producing leaseholds within 1/4 mile of the proposed Class II UIC Well;
 - 3) the location of the well proposed to be drilled, deepened or converted;
 - 4) the wells from which fresh water analyses were obtained in accordance with Section 240.350; and
 - 5) the location of all wells penetrating the proposed injection interval within the 1/4 mile area of review as defined in Section 240.360.
- d) If the well is not located within the boundaries of a leasehold or enhanced oil recovery unit, the applicant shall submit documentation showing the applicant's right to drill and to operate the well.
- e) A statement as to whether such proposed well location is within the limits of any incorporated city, town, or village. If the consent of municipal authorities for the drilling of a well is required, a certified copy of the official consent must be submitted.
- f) The name and address of the drilling contractor, and the type of drilling tools or equipment to be used.
- g) If the well is located over an active mine, temporarily abandoned mine or within the undeveloped limits of a mine, or if the coal rights are

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

owned by someone other than the lessor under the oil and gas lease, the applicant shall submit documentation establishing compliance with Section 240.1305 of this Part.

- h) If the application is for a newly drilled well located over an underground gas storage field as defined in 240.1805(c) of this Part or the gas storage rights are owned by someone other than the lessor under the oil and gas lease, the applicant shall submit documentation establishing compliance with Section 240.1820 of this Part.
- h1) The proposed well construction and operating parameters in accordance with Section 240.340 of this Part.
- i) Evidence of notification required under Section 240.370.
- jk) Information regarding groundwater and potable water supplies in accordance with Section 240.350.
- kl) Cementing, casing and plugging records for all wells penetrating the injection interval within the 1/4 mile area of review in accordance with Section 240.360.
- ml) A statement whether the applicant has ever had a well bond forfeited to the Department, and if so, when and for what well.

(Source: Amended at 18 Ill. Reg. _____, effective MAY 13 1994)

Section 240.330 Authority of Person Signing Application

- a) All applications for permits to drill, deepen, or convert to a Class II UIC well shall identify whether the owner of the right to drill and to operate the well is an individual, partnership, corporation or other entity, and shall contain the address and signature of the owner or person authorized to sign for such owner.
- b) If the owner is an individual, the application shall be signed by the individual. If the owner is a partnership, the application shall be signed by a general partner. If the owner is a corporation, the application shall be signed by an officer of the corporation.
- c) In lieu of the signature of the owner or such authorized person, the application may be signed by a person having a power of attorney to sign for such owner or authorized person, provided a certified copy of the power of attorney is on file with the Department or accompanies the application.
- d) The entity or person to whom the permit is issued shall be called the Permittee and shall be responsible for all regulatory requirements relative to the well.
- e) If the applicant is a corporation, the charter must authorize the corporation to engage in the permitted activity, and the corporation must be incorporated or authorized to do business in the State of Illinois.
- f) If the applicant has been issued a FEIN, that number must be reported on the application.

(Source: Amended at 18 Ill. Reg. _____, effective

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

MAY 13 1994

Section 240.370 Public Notice

- a) Contents of Notice and Publication
- Public notice shall be given no earlier than 30 days prior to the filing of the application. A notice that an application for a permit to drill, deepen or convert to a Class II UIC well has been or will be filed with the Department shall be published by the applicant in a newspaper of general circulation and published in the county in which the proposed injection well is to be located. The applicant shall submit the original of the Certificate of Publication to the Department prior to approval of the application.

1) The notice shall include:

- 1A) the name and address of the applicant;
- 1B) the date the application was filed;
- 1C) the legal description of the location of the proposed injection well;
- 1D) the geologic name and depth of the injection interval(s);
- 1E) the proposed maximum injection pressure and maximum injection rate;
- 1F) the address and telephone number for the Oil and Gas Division of the Department; and
- 1G) a statement that the public has fifteen (15) days from the date the application is filed, as stated in the public notice, of publication to comment on the application and that comments must be made in writing to the Department.
- 2) If the notice does not contain all of the above information, or if the application is not received on or before the date designated in subsection (1)(B) above, the applicant shall be required to re-publish the notice.

b) Notice Within the Area of Review

A copy of the published notice, or a letter containing the same information as in the notice, shall be mailed by Certified Mail-Return Receipt Requested to the owner of the surface of the land on which the proposed injection well is to be located, and to each permittee of a producing leasehold and the owner or manager of all mines, including the mined-out area and undeveloped limits of all mines, located within one-fourth (1/4) mile of the proposed Class II UIC well. Evidence of mailing shall be submitted to the Department prior to approval of the application. The returned Certified Mail receipt card, or a photostatic copy of such, shall serve as evidence of mailing.

c) Objections

If a written objection to the application is filed within fifteen (15) days after the filing of the application ~~date of publication of the notice of application~~, the Department shall consider the objection in determining whether the permit should be issued. If the objection raises a factual or legal question regarding the sufficiency of the application in meeting the requirements for a permit, the permit

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

objection shall be set for a public hearing. A hearing shall be set only after all other requirements for issuance of the permit have been fulfilled.

d) Public Hearing

- 1) Any public hearing held pursuant to subsection (c) above shall be an informal hearing conducted by the Department solely for the purpose of resolving the factual or legal question raised by the objection.
- 2) Notice of the hearing shall be sent by the Department to the applicant and to the objector by mailing such notice by United States mail, postage prepaid, addressed to their last known home addresses.
- 3) A certified court reporter shall record the hearing at the Department's expense.
- 4) A Hearing Officer designated by the Department shall conduct the hearing. The Hearing Officer shall allow all parties to the hearing to present evidence in any form, including by oral testimony or documentary evidence, unless the Hearing Officer determines such evidence is irrelevant, immaterial, unduly repetitious, or of such a nature that reasonably prudent members of the public or people knowledgeable in the oil and gas field would not rely upon it in the conduct of their affairs.
- 5) The Hearing Officer shall have the power to continue the hearing or to leave the record open for a certain period of time in order to obtain or receive further relevant evidence.
- 6) Within ten (10) days of the closing of the record or the receipt of the transcript of the hearing, whichever comes later, the Department shall render a decision on the objection.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

MAY 13 1994

Section 240.380 Issuance of Permit

- a) If the applicant satisfies the requirements of the Act and Rules, the Department shall issue a permit.

b) A permit shall not be issued where a final administrative order of the Department is outstanding against the applicant or against a person or permittee who is an officer, director, partner or owner of more than a 5% interest of the applicant, or where obligated funds from the Plugging and Restoration Fund are outstanding under Subpart P, or where annual well fees are outstanding under Subpart Q.

c) Permits shall expire one year from the date of issuance unless acted upon by commencement of drilling, deepening or converting operations authorized by the permit, which are to be continued with due diligence, but not to exceed one (1) year from the date of commencement of drilling or conversion operations, at which time the well shall be plugged, production casing set, conversion operations completed or well re-permitted.

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

- d) Permits are not transferable prior to the drilling of the well.
- e) If during drilling the well is lost (collapsed casing or hole, etc.), the permittee is required to submit a new application, and receive a permit prior to drilling an offset well.
- f) The Department shall revoke a permit that was issued in error or if the application contained an error or misrepresentation.
- g) The Department shall notify the permittee of their intent to revoke a permit effective thirty (30) days from the date of notice unless a hearing is requested in accordance with subsection (h) below.
- h) If a written objection to the revocation is filed within thirty (30) days after the date of the notice:
- i) A pre-hearing conference shall be held within fifteen (15) days after the receipt after the request for hearing.
- A) A pre-hearing conference shall be scheduled in order to:
- i) Simplify the factual and legal issues presented by the hearing request;
 - ii) Receive stipulations, admissions of fact and of the contents and authenticity of documents;
 - iii) Exchange lists of witnesses the parties intend to have testify and copies of all documents the parties intend to introduce into evidence at the hearing;
 - iv) Set a hearing date; and
 - v) Discuss and resolve such other matters as may tend to expedite the disposition of the hearing request and to assure a just conclusion thereof.
- B) Pre-hearing conferences may be held by telephone conferences if such procedure is acceptable to all parties.
- 2) All hearings under this Subpart shall be conducted in the Department's offices located at 300 West Jefferson Street, Suite 300, Springfield, Illinois.
- i) At the hearing, the Department shall present evidence in support of its determination under subsection (f) above. The permittee may present evidence contesting the Department's determination under subsection (f) above. The hearing officer may administer oaths and affirmations, subpoena witnesses and written or printed materials, compel attendance of witnesses or production of those materials, compel discovery, and take evidence.
- j) Within thirty (30) days after the close of the record or the receipt of the transcript of the hearing, the Department shall render a decision.
- k) The permittee's failure to request a hearing in accordance with subsection (h) shall constitute a waiver of all legal rights to contest the permit revocation decision. Upon the expiration of the time to request a hearing, the Department shall issue a final administrative decision, pursuant to Section 10 of the Act.

(Source: Amended at 18 Ill. Reg. _____, effective
MAY 13 1994)

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

SUBPART D: SPACING OF WELLS

Section 240.460 Special--Drilling--Units--Based--Upon--Reservoir--Characteristics Modified Drilling Unit

- a) Upon application of any person having an interest in oil or gas in all or a portion of a reservoir, the Department shall schedule a public hearing to consider the establishment of a special drilling unit or units for all or a portion of a reservoir for the production of oil or gas. Upon application of any person having an interest in oil or gas in a lease or drilling unit, the Department shall schedule a hearing to consider modification of the drilling unit relative to the land survey system and setback requirements specified in Section 240.410 of this Part.
- b) Execution and Filing
- i) The petition to establish drilling units shall be filed with the Illinois Department of Mines and Minerals, Oil and Gas Division, 300 West Jefferson, Suite 300, P.O. Box 10140, Springfield, Illinois 62791-0140. The petition shall be deemed filed when it is received by the Department, Oil and Gas Division.
 - 2) Every petition shall be signed by the petitioner or his representative and his address shall be stated thereon. The signature of the petitioner or his representative constitutes a certificate by him that he has read the petition and that to the best of his knowledge, information and belief there is good ground to support the same.
- b7c) Notice of hearing shall be given by the applicant to all mineral owners within the boundaries set forth in the application, and to all permittees having oil or gas wells within one-half (1/2) mile of the boundaries of the lease or drilling unit by U.S. Postal Service certified mail, return receipt requested, and by publication in a newspaper of general circulation in each county in which any portion of the proposed lease or drilling unit or units is located, at least ten (10) days prior to the hearing.
- d) Pre-Hearing Conferences
- 1) Upon his own motion or the motion of a party, the Hearing Officer shall direct the parties or their counsel to meet with him for a conference in order to:
 - A) Simplify the factual and legal issues presented by the hearing request;
 - B) Receive stipulations, admissions of fact and of the contents and authenticity of documents;
 - C) Exchange lists of witnesses the parties intend to have testify and copies of all documents the parties intend to introduce into evidence at the hearing; and
 - D) Discuss and resolve such other matters as may tend to expedite the disposition of the hearing request and to assure a just conclusion thereof.
 - 2) Pre-hearing conferences may be held by telephone conference if

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

such procedure is acceptable to all parties.

e) Hearing

1) Conduct of Hearing: Every hearing shall be conducted by a Hearing Officer designated by the Director. The Hearing Officer shall take all necessary action to avoid delay, to maintain order and to develop a clear and complete record, and shall have all powers necessary and appropriate to conduct a fair hearing and to render a decision on the petition, including the following:

- A) To administer oaths and affirmations;
- B) To receive relevant evidence;
- C) To regulate the course of the hearing and the conduct of the parties and their counsel therein;
- D) To consider and rule upon procedural requests;
- E) To examine witnesses and direct witnesses to testify, limit the number of times any witness may testify, limit repetitive or cumulative testimony and set reasonable limits on the amount of time each witness may testify;
- F) To require the production of documents or subpoena the appearance of witnesses, either on the Hearing Officer's own motion or for good cause shown on motion of any party of record.

2) Every person desiring to participate in the hearing shall enter his appearance by stating his name and address. Thereafter, such person shall be deemed a party of record.

3) All participants in the hearing shall have the right to be represented by counsel.

4) The Hearing Officer shall allow parties to present statements, testimony, evidence and arguments as may be relevant to the proceeding.

5) At least one representative of the Department shall appear at any hearing held under this Section and shall be given the opportunity to question parties or otherwise elicit such information as is necessary to reach a decision on the petition. Where applicable, the following shall be addressed prior to receiving evidence:

- A) The petitioner may offer preliminary exhibits, including documents necessary to present the issues to be heard, notices, proof of publication and orders previously entered in the cause.
- B) Ruling may be made on any pending motions.
- C) Any other preliminary matters appropriate for disposition prior to presentation of evidence.

f) Evidence

1) Admissibility: A party shall be entitled to present his case by oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts. Any oral or documentary evidence received by the presiding Hearing Officer shall exclude evidence which is irrelevant, immaterial or unduly repetitious. The rules

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

of evidence and privilege applied in civil cases in the courts of the State of Illinois shall be followed; however, evidence not admissible under such rules of evidence may be admitted, except where precluded by reasonable, prudent men in the conduct of their affairs. Subject to these requirements, when a hearing will be expedited and the interests of the parties will not be prejudiced, a Hearing Officer shall allow evidence to be received in written form.

2) Official Notice: Official notice may be taken of any material fact not appearing in evidence in the record if the circuit courts of this State could take judicial notice of such fact. In addition, notice may be taken of generally recognized technical or scientific facts within the Department's specialized knowledge.

3) Order of Proof: The petitioner shall open the proof. Other parties of record shall be heard immediately following the petitioner. The Hearing Officer or Department representatives may examine any witnesses. In all cases, the Hearing Officer shall designate the order of proof and may limit the scope of examination or cross-examination.

4) Briefs: The Hearing Officer may require or allow parties to submit written briefs to the Hearing Officer within 10 days after the close of the hearing or within such other time as the Hearing Officer shall determine as being consistent with the Department's responsibility for an expeditious decision.

g) Record of Proceedings; Testimony
The Department shall provide at its expense a certified shorthand reporter to take down the testimony and preserve a record of all proceedings at the hearing. Any person testifying shall be required to do so under oath. However, relevant unsworn statements, comments and observations by any interested person may be heard and considered by the Department as such and included in the record.

h) Postponement or Continuance of Hearing
A hearing may be postponed or continued for due cause by the Hearing Officer upon his own motion or upon the motion of a party to the hearing. A motion filed by a party to the hearing shall set forth facts attesting that the request for continuance is not for the purpose of delay. Except in the case of an emergency, motions requesting postponement or continuance shall be made in writing and shall be received by all parties to the hearing.

i) Default

If a party, after proper service of notice, fails to appear at the pre-hearing conference or at a hearing, and if no continuance is granted, the Department may then proceed to make its decision in the absence of such party. If the failure to appear at such pre-hearing conference or hearing is due to an emergency situation beyond the parties' control, and the Department is notified of such situation on or before the scheduled pre-hearing conference or hearing date, the pre-hearing conference or hearing will be continued or postponed

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

pursuant to Section 240.130(b). Emergency situations include sudden unavailability of counsel, sudden illness of a party or his representative, or similar situations beyond the parties control.

c) If the Department finds, based on the reservoir's geological and engineering characteristics, that a ~~specific~~ modified drilling unit or units is necessary to prevent waste, to protect correlative rights, and to prevent the unnecessary drilling of wells, the Department shall enter an order establishing such drilling unit or units. Each order shall:

- 1) specify the ~~reservoir or portion thereof~~, and the ~~shape and size~~ location of each drilling unit ~~which shall be uniform for all drilling units~~ relative to the land survey system; and
- 2) specify the set back from the drilling unit boundaries for the location of the oil or gas well on each drilling unit.

k) Order--Final Administrative Decision
The Director's order is a final administrative decision of the Department, pursuant to Section 10 of the Act.

(Source: Amended at 18 Ill. Reg. _____, effective
MAY 13 1994)

Section 240.470 Establishment of Pool-Wide Drilling Units Based Upon Reservoir Characteristics

a) Upon application of any person having an interest in oil or gas in all or a portion of a reservoir, the Department shall consider the establishment of a special drilling unit or units other than specified in Section 240.410 of this Part for all or a portion of a reservoir for the production of oil or gas.

b) Applications to establish pool-wide drilling units based upon reservoir characteristics shall be processed in accordance with Section 240.133 of this Part.

c) The following pool-wide oil well spacing is established by the Department.

1) Ten (10) acre spacing is established for the Devonian and Silurian Limestone in Sections 17, 20 and 29 of Township 3 North, Range 3 West, Schuyler County, Illinois, known as the Brooklyn Pool.

2) Ten (10) acre spacing is established for the Devonian and Silurian Limestone in Sections 29, 30, 31 and 32 of Township 1 South, Range 3 West, Sections 24, 25, 26, 33, 34, 35 and 36 of Township 1 South, Range 4 West, Sections 5, 6 and 8 of Township 2 South, Range 3 West and Sections 1, 2, 3 and 4 of Township 2 South, Range 4 West, Brown County, Illinois, known as the Buckhorn Consolidated Pool.

3) Ten (10) acre spacing is established for the Devonian and Silurian Limestone in Sections 8, 9, 15, 16 and 17 of Township 2 South, Range 4 West, Brown County, Illinois, known as the Siloam Pool.

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

4) Ten (10) acre spacing is established for the Devonian and Silurian Limestone in Sections 6 and 7 of Township 1 North, Range 1 West, Sections 1, 2 and 12 of Township 1 North, Range 2 West and Sections 35 and 36 of Township 2 North, Range 2 West, Schuyler County, Illinois, known as the Rushville Central Pool.

5) Ten (10) acre spacing is established for the Devonian and Silurian Limestone in Sections 25 and 36 of Township 1 South, Range 5 West, Sections 1, 2, 10, 11 and 12 of Township 2 South, Range 5 West, Adams County, Illinois and in Section 7 of Township 2 South, Range 4 West, Brown County, Illinois, known as the Kellerville Pool.

6) Ten (10) acre spacing is established for the St. Louis Limestone (Mississippian) in Sections 6, 7, 18 and 19 of Township 11 North, Range 11 East and Sections 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 19, 19, 20, 21, 28, 29 and 30 of Township 11 North, Range 14 West, Cumberland County, Illinois, known as the Westfield Pool.

7) Ten (10) acre spacing is established for the St. Louis/Salem (Mississippian) Limestone in Sections 31, 32, 33 and 34 of Township 12 North, Range 14 West, Cumberland County, Illinois, known as the Westfield Pool.

8) Ten (10) acre spacing is established for the St. Louis/Salem (Mississippian) Limestone in Sections 2, 3, 10, 11, 12 and 13 of Township 9 North, Range 14 West and in Sections 14, 15, 22, 23, 24, 25, 26, 35 and 36 of Township 10 North, Range 14 West, Clark County, Illinois, known as the Martinsville Pool.

9) Ten (10) acre spacing is established for the St. Louis/Salem (Mississippian) Limestone in Sections 22, 23, 26, 27, 34 and 35 of Township 9 North, Range 14 West, Clark County, Illinois, known as the Johnson South Pool.

10) Ten (10) acre spacing is established for the Trenton Limestone in Sections 34 and 35 of Township 1 South, Range 10 West and in Sections 2, 3, 11 and 24 of Township 2 South, Range 10 West, Monroe County, Illinois, known as the Waterloo Pool.

11) Ten (10) acre spacing is established for the Trenton Limestone in Sections 27, 33 and 34 of Township 1 North, Range 10 West, St. Clair County, Illinois, known as the Dupo Pool.

d) The following pool-wide natural gas spacing is established by the Department.

One Hundred Sixty (160) acre spacing is established for the New Albany Shale Gas in the West half of Section 5, and all of Sections 6, 7, 8, 17, 18, 19 and 20 of Township 4 North, Range 10 West and in Sections 1, 2, 11, 12, 13 and 14 and the East half of Section 24, of Township 4 North, Range 11 West, Lawrence County, Illinois.

(Source: Added at 18 Ill. Reg. _____, effective
MAY 13 1994)

SUBPART E: WELL DRILLING,
COMPLETION AND WORKOVER REQUIREMENTS

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

Section 240.500 Definitions

For the purpose of this Subpart the term:

"Completion Fluids" means liquids that are used to complete or workover a well including saltwater, crude oil, frac fluids, acids and other treatment chemicals.

"Completion Fluid Waste" means completion fluids that are generated from the well during completion activities.

"Drilling Fluid" means any medium used in the drilling of a well such as fresh water, crude oil based or fresh water based drilling muds, and air or air foam mixtures.

"Drilling Fluid Waste" means drilling fluids, muds and cuttings that are generated from the well during drilling activities.

(Source: Amended at 18 Ill. Reg. _____, effective
MAY 13 1994)

SUBPART F: WELL CONSTRUCTION, OPERATING AND REPORTING
REQUIREMENTS FOR PRODUCTION WELLS

Section 240.610 Construction Requirements for Production Wells

a) Surface Casing Requirements for Wells Drilled After the Effective Date of this Section

1) Steel surface casing or fiberglass casing meeting API standards shall be set to a depth of at least one hundred (100) feet, or fifty (50) feet below the base of the fresh water, whichever is deeper.

2) Surface casing shall be set under the supervision of a representative of the Department Well Inspector and the permittee shall give at least twenty-four (24) hours notice to the District Office for the District in which the well is located prior to setting the surface casing.

3) Surface casing shall be cemented in place by circulating cement behind the surface casing from the setting depth of the casing to the surface.

4) The cement shall be allowed to set in place until it has developed sufficient strength to allow drilling to resume, but no less than four (4) hours.

5) At the time of submitting the permit application, the permittee upon request and approval from the Department before drilling commences may utilize for one of the following alternative surface casing procedures:

A) If the unconsolidated material is less than 25 feet thick, no surface casing is required but a cement basket shall be

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

set 50 feet below the base of the freshwater and the production casing either cemented to surface from total depth, or cemented from the cement basket to surface together with the required cement on the bottom of the production casing as specified in subsection (b).

B) If the unconsolidated material is greater than 25 feet thick, surface casing is required to be set to the top of the bedrock, a cement basket shall be set 50 feet below the base of the freshwater and the production casing shall be either cemented to surface from total depth, or cemented from the cement basket to surface together with the required cement on the bottom of the production casing as specified in subsection (b) below.

C) For wells in which the total depth is less than 250 feet below the base of the freshwater, no surface casing or cement basket is required, but the production casing shall be cemented from total depth to surface.

b) Production Casing Requirements for Wells Drilled After the Effective Date of this Section.

Production casing shall be set and cemented in place by circulating cement behind the production casing from the setting depth of the casing to a minimum of two hundred fifty (250) feet above the shallowest producing interval. The casing shall be set no higher than fifty (50) feet above the top of the uppermost producing interval in an open hole completion.

c) Production Casing Requirements for Existing Wells

1) For all existing wells without production casing:

A) If surface casing was previously set, production casing shall be set and cemented a minimum of two hundred fifty (250) feet in accordance with subsection (b) above.

B) If surface casing was not previously set, production casing shall be set and cemented to surface in accordance with subsection (a)(5) above.

2) Wells drilled prior to the effective date of this Section that contain drive pipe without cement behind the drive pipe will require no further cementing work.

d) Tubing and Packer in Flowing Wells

All wells flowing as a result of an enhanced oil recovery project shall be produced through tubing and packer. The packer shall be set within two hundred (200) feet of the top of the producing interval and within the cemented portion of the production casing. The permittee shall contact the District Office in which the well is located at least twenty-four (24) hours prior to the initial setting or any resetting of the packer to enable an inspector to be present when the packer is set.

(Source: Amended at 18 Ill. Reg. _____, effective
MAY 13 1994)

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

Section 240.640 Reporting Requirements

a) Well Completion Reports

1) Contents

The Well Completion Report shall be completed on a form prescribed by the Department and shall contain:

- A) the name and location of the well;
- B) information on the construction of the well;
- C) information on the producing zones and the type of completion treatment performed on each zone; and
- D) initial production rates.

2) Newly drilled wells

A Well Completion Report shall be submitted to the Department within thirty (30) days after the conclusion of initial completion activities (i.e., production testing or date of first production) or within thirty (30) days after the expiration of the permit if the well was not drilled.

3) Existing wells

A Well Completion Report shall be completed and submitted to the Department for each workover or recompletion of any existing production well which results in a change of the original well construction or zone of production. The Well Completion Report shall be submitted within thirty (30) days after the completion of any such workover or recompletion activity.

4) Non-productive Wells (Dry Holes)

A Well Completion Report shall be completed and submitted to the Department for each non-productive well or "dry hole". The Well Completion Report shall be submitted within thirty (30) days after attempted completion of the non-productive well.

b) Well Drilling Report

1) For all wells drilled or deepened after the effective date of this Section, a Well Drilling Report shall be completed by the permittee on a form prescribed by the Department.

2) The Well Drilling Report shall be submitted to the State Geological Survey in Champaign, Illinois within 90 days after drilling ceases and shall contain:

- A) the name and location of the well;
- B) drilling information;
- C) the geologic names and depths of the formations encountered in drilling the well;
- D) the results of all drill stem tests; and
- E) a copy of the drilling time or geograph record if a geophysical log was not run unless the well was drilled with air rotary tools.

3) A Well Drilling Report is not required for well conversion not entailing deepening of the well.

c) Geophysical logs

A copy of all wire line or geophysical logs run on a well shall be submitted to the State Geological Survey within 90 days after drilling

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

ceases.

d) Drill Cuttings

1) Notification and Collection of Drill Cuttings

The Department shall notify the permittee when cuttings are required to be collected. Drill cuttings shall be collected for each run drilled in cable tool wells and each ten feet (10') of distance drilled in rotary or air drilled wells. The permittee shall obtain containers for the cuttings, and deliver the cuttings to the Illinois State Geological Survey in Champaign, Illinois.

2) When Drill Cuttings Required

The Department will require drill cuttings for a newly permitted well when drill cuttings have not previously been submitted for any well within one-half (1/2) mile of the newly permitted well. If the newly permitted well is drilled to a depth greater than any other well within one-half (1/2) mile for which drill cuttings were submitted, drill cuttings will be required only from the lowest depth previously submitted to the total depth of the newly permitted well.

(Source: Amended at 18 Ill. Reg. _____, effective MAY 13 1994)

SUBPART G: WELL CONSTRUCTION, OPERATING AND REPORTING REQUIREMENTS FOR CLASS II UIC WELLS

Section 240.710 Surface and Production Casing Requirements for Newly Drilled Class II UIC Wells Drilled After the Effective Date of this Section

a) Surface Casing

1) Steel surface casing shall be set to a depth of at least one hundred (100) feet, or fifty (50) feet below the base of the fresh water zone, whichever is deeper.

2) Surface casing shall be set under the supervision of a representative of the Department Well-inspector and the permittee shall give at least twenty-four (24) hours notice to the District Office for the District-in-which-the-well-is-located prior to setting the surface casing.

3) Surface casing shall be cemented in place by circulating cement behind the surface casing from the setting depth of the casing to the surface.

4) The cement shall be allowed to set in place until it has developed sufficient strength to allow drilling to resume, but no less than four (4) hours.

5) At the time of submitting the permit application the permittee-upon may request and approval from the Department before--drilling--commences--may-utlize for one of the following alternative surface casing procedures:

A) If the unconsolidated material is less than 25 feet thick,

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

no surface casing is required but a cement basket shall be set 50 feet below the base of the freshwater and the production casing either cemented to surface from total depth, or cemented from the cement basket to surface together with the required cement on the bottom of the production casing as specified in subsection (b).

B) If the unconsolidated materials is greater than 25 feet thick, surface casing is required to be set to the top of the bedrock, a cement basket shall be set 50 feet below the base of the freshwater and the production casing shall be either cemented to surface from total depth, or cemented from the cement basket to surface together with the required cement on the bottom of the production casing as specified in subsection (b).

C) For wells in which the total depth is less than 250 feet below the base of the freshwater, no surface casing or cement basket is required, but the production casing shall be cemented from total depth to surface.

b) Production Casing

Production casing shall be set and cemented in place by circulating cement behind the production casing from the setting depth of the casing to a minimum of two hundred fifty (250) feet above the shallowest permitted injection interval. The casing shall be set no higher than fifty (50) feet above the top of the uppermost permitted injection interval in an open hole completion.

(Source: Amended at 18 Ill. Reg. _____, effective
MAY 13 1994)

Section 240.740 Other Construction Requirements for Class II UIC Wells

a) Injection shall be through tubing and packer. The packer shall be placed no higher than two hundred (200) feet above the uppermost perforations or the casing seat in an open hole completion. Provided the packer is within the cemented portion of the production casing such that there is at least fifty (50) feet of cement above the packer, and further provided the packer is no less than one hundred (100) feet below the base of the fresh water. No perforations shall be left open above the packer unless they are isolated by a dual packer or concentric packer system. If a dual packer is used, the uppermost packer must satisfy the placement requirements of this subsection.

ba) The wellhead shall be configured to include a one quarter inch female fitting, with shut-off valve, to allow monitoring of the annulus between the production casing and the injection tubing.

cb) A one quarter inch female fitting, with shut-off valve, shall be installed on the tubing to measure the injection pressure.

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

(Source: Amended at 18 Ill. Reg. _____, effective
MAY 13 1994)

Section 240.750 Operating Requirements for Class II UIC Wells

a) The wellhead shall be maintained in a leak-free condition.

b) Spills of injected fluids occurring at the well-site due to a leaking wellhead shall be cleaned up in accordance with Subpart I.

c) Wells which have not been operated for more than two (2) years are not equipped with tubing and packer shall be temporarily abandoned or plugged in accordance with Subpart K.

d) The injection pressure shall not exceed the maximum injection pressure established in accordance with Section 240.340(e) of this Part, unless amended in accordance with Section 240.390(b) of this Part.

e) No change shall be made in the permitted injection zones except in accordance with Section 240.390(a) of this Part or Section 240.395 of this Part.

f) Within the Area of Review as defined in 62 Ill. Adm. Code 240.360, injection injection fluids shall be confined to the permitted injection zones in the well. If the injection fluids are migrating into unpermitted zones, or into the fresh water zone or to the surface from the well in question or from other wells within the Area of Review, the permittee shall notify the Department, and shut in the well until remedial action that prevents the fluid migration is completed.

g) Mechanical integrity must be established in accordance with Sections 240.760 and 240.770.

h) Only Class II fluids can be injected into a Class II well. Class II fluids are:

1) Produced water and/or other fluids brought to the surface in connection with drilling, completion, workover and plugging of oil and natural gas wells; oil and natural gas production; enhanced recovery operations; or natural gas storage operations;

2) Produced water and/or other fluids from (1) above, which prior to re-injection have been:

A) used on site for purposes integrally associated to oil and natural gas well drilling, completion, workover and plugging, oil and gas production, enhanced recovery operations or natural gas storage;

B) chemically treated or altered to the extent necessary to make them usable for purposes integrally related to oil and natural gas well drilling, completion, workover and plugging, oil and gas production, enhanced recovery operations, or natural gas storage operations;

C) commingled with fluid wastes resulting from fluid treatments outlined in (b), provided the commingled fluid wastes do not constitute a hazardous waste under the Resource Conservation and Recovery Act.

3) Fresh water from groundwater or surface water sources which is

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

used for purposes integrally related or associated with oil and natural gas well drilling, completion, workover and plugging oil and gas production, enhanced recovery operations or natural gas storage;

- 4) Waste fluids from gas plants (including filter backwash, precipitated sludge, iron sponge, hydrogen sulfide and scrubber liquid) which are an integral part of oil and gas production operations; and waste fluids from gas dehydration plants (including glycol-based compounds and filter backwash) which are an integral part of natural gas storage operations, unless the gas plant or gas dehydration plant wastes are classified as hazardous under the Federal Resource Conservation and Recovery Act.

(Source: Amended 18 Ill. Reg., effective May 13, 1994)

Section 240.760 Establishment of Internal Mechanical Integrity Testing for Class II UIC Wells

a) For purposes of this Section, establishment of Internal Mechanical Integrity includes proper placement of the packer in accordance with subsection (b) below and successful completion of a pressure test in accordance with subsection (f) below.

b) Injection shall be through tubing and packer. The packer shall be placed no higher than two hundred (200) feet above the uppermost perforations or the casing seat in an open hole completion, provided the packer is within the cemented portion of the production casing such that there is at least fifty (50) feet of cement above the packer, and further provided the packer is no less than one hundred (100) feet below the base of the fresh water. No perforations shall be left open above the packer unless they are isolated by a dual packer or concentric packer system. If a dual packer is used, the uppermost packer must satisfy the placement requirements of this subsection.

ac) The permittee shall contact the Office for the District Office in which the well is located at least twenty-four (24) hours prior to the initial setting or any resetting of the packer in a Class II UIC well to enable an inspector to be present when the packer is set. Setting of the packer must be reported on a form prescribed by the Department.

bd) An internal mechanical integrity test shall be performed:

- 1) prior to initial injection into a newly permitted Class II UIC well;
- 2) prior to initial injection into a Class II UIC well after a change to a new, permitted injection zone;
- 3) prior to resuming injection into any Class II UIC well after any work over of the well involving the resetting or movement of a packer;
- 4) prior to initial injection into a Class II UIC well after the

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

- well has been reactivated from temporary abandonment status;
- 5) whenever the Department has reason to believe, based upon well records or field observation, and subject to the provisions of Sections 240.140, 240.150 and 240.170 of this Part, that the Class II UIC well may be leaking or improperly constructed; and
 - 6) at least once every five (5) years measured from the date of the last successful test.

~~the permittee shall contact the Office for the District in which the well is located at least 24 hours prior to conducting an internal mechanical integrity test except when the Department schedules the test under Subsection (b)(1) above; if the Department authorizes the permittee to conduct an internal mechanical integrity test without the presence of a well inspector, the permittee shall report the test results on a form prescribed by the Department.~~

ce) All Class II UIC wells not subjected to an internal mechanical integrity pressure test as of September 1, 1991 shall be tested by September 1, 1995, unless temporarily abandoned in accordance with Section 240.1130 within 5 years of the effective date of this Section. During the first four (4) years, each permittee shall conduct an internal mechanical integrity test each year commencing September 1 on at least 20% of the permittee's total Class II UIC wells of record as of September 1 as reported to each permittee by the Department. During the fifth year each permittee shall conduct an internal mechanical integrity test on all remaining untested Class II UIC wells that are of record September 1, 1994 or are acquired during the year ending September 1, 1995. Class II UIC wells sold or acquired during the first four years shall not affect the total number of wells from which the 20% testing requirement is derived for that year. Wells tested during the year in which they are transferred shall count toward the 20% testing requirement of the permittee who conducted the test. Class II UIC wells temporarily abandoned, converted to production wells or plugged in accordance with the provisions of Subpart K during any year shall count toward the 20% testing requirement.

df) ~~Internal Mechanical Integrity (Part of) Pressure Test:~~

The following pressure test shall be performed on Class II UIC wells to establish the internal mechanical integrity of the tubing, casing and packer of the well. The permittee shall contact the District Office in which the well is located at least twenty-four (24) hours prior to conducting a pressure test to enable an inspector to be present when the test is done. The permittee shall report the test results on a form prescribed by the Department.

1) Pressure Test

The casing-tubing annulus above the packer shall be tested under the supervision of the Department at a minimum pressure differential between the tubing and the annulus of 50 PSIG for a period of 30 minutes. In addition, the casing-tubing annulus starting test pressure shall not be less than 300 PSIG and may vary no more than five (5) percent of the starting test pressure

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

during the test. The well may be operating or shut in during the test.

2) Monitoring Test

For those wells which are structurally unable to withstand the pressure test specified in subsection (d)(1) above because the packer would unseat, but not because the well is improperly constructed, the permittee may make application to perform a monitoring test in lieu of the pressure test on forms prescribed by the Department. An approved monitoring test will consist of pressuring the annulus to a specified pressure no less than 50 PSIG and monitoring the positive annular pressure over a specified period of time. In determining whether to approve a monitoring test, and in establishing the test parameters (i.e., positive annulus pressure, tubing injection pressure, injection rate, monitoring method and length and frequency of monitoring), the Department shall consider well construction including:

- A) the volume of the casing-tubing annulus;
- B) depth of packer;
- C) pressure below the packer; and
- D) type of tubing and packer.

eg) Any Class II UIC well which fails an internal mechanical integrity test, or on which an internal mechanical integrity test has not been performed when required by subsection (c) and (e) above, shall be shut in until the well is plugged or until remedial work is completed and an internal mechanical integrity test is successfully completed. If the necessary work has not been completed and an internal mechanical integrity test successfully completed within ninety (90) days (or within any greater length of time established by the Department due to weather conditions), the well shall be temporarily abandoned in accordance with Section 240.1130(d) of this Part.

(Source: Amended at 18 Ill. Reg. _____, effective
MAY 13 1994)

Section 240.770 Establishment of External Mechanical Integrity Testing for Class II UIC Wells

- a) In conjunction with the establishment of internal mechanical integrity testing--of for Class II UIC wells, the external mechanical integrity shall be evaluated by the Department to establish that the fresh water is protected from upward migration of injection fluids.
- b) To establish external mechanical integrity, all Class II UIC wells shall be constructed in accordance with Sections 240.710(b), 240.720(b), or 240.730(b), whichever is applicable.
- c) If external mechanical integrity under Sections 240.710(b) or 240.720(b) cannot be demonstrated by cement records or Illinois State Geological Survey records, the permittee may utilize one or more of the following methods to demonstrate external mechanical integrity:
 - 1) Temperature log indicating top of cement;

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

- 2) Cement bond log showing gamma ray, transit time, collar locator and VDL (Variable Density Log);
- 3) Advanced cement evaluation logs;
- 4) Radioactive tracer survey indicating lack of fluid migration behind the casing;
- 5) Oxygen-activation log indicating lack of fluid migration behind the casing.
- d) If the Department has reason to believe, based upon well records or field observation, that any Class II UIC well is causing fluid migration into the fresh water zone resulting from a failure of external mechanical integrity, the permittee shall shut in the well until any necessary corrective work is commenced and completed and external mechanical integrity is established in accordance with subsection (c) above, or until the well is plugged.

(Source: Amended at 18 Ill. Reg. _____, effective
MAY 13 1994)

Section 240.780 Reporting Requirements for Class II UIC Wells

a) Well Completion Reports

1) Contents

The Well Completion Report shall be completed on a form prescribed by the Department and shall contain:

- A) the name and location of the well;
- B) information on the construction of the well;
- C) information on the injection zones and the type of completion treatment performed on each zone; and
- D) injection rates and pressures.

2) Newly drilled or converted wells

A Well Completion Report shall be submitted to the Department within thirty (30) days after the conclusion of initial completion activities (i.e., setting of tubing and packer) or within thirty (30) days after the expiration of the permit if the well was not drilled or converted.

3) Existing wells

A Well Completion Report shall be completed and submitted to the Department for each workover--or recompletion of any existing injection well. A workover--or--recompletion Recompletion includes resetting-the-packer--remedial-cementing--setting-a-casing--liner and--recompletion--into--an injection into a zone not previously used for injection in the well. The Well Completion Report shall be submitted within thirty (30) days after the completion of any such workover or recompletion activity.

b) Well Drilling Report

- 1) For all wells drilled or deepened after the effective date of this Section, a Well Drilling Report shall be completed by the permittee on a form prescribed by the Department.
- 2) The Well Drilling Report shall be submitted to the State

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

Geological Survey within 90 days after drilling ceases and shall contain:

- A) the name and location of the well;
- B) drilling information;
- C) the geologic names and depths of the formations encountered in drilling the well;
- D) the results of all drill stem tests; and
- E) a copy of the drilling time or geograph record if a geophysical log was not run, unless the well is drilled with air rotary tools.

- 3) Well Drilling Reports are not required for well conversions not entailing a deepening of the well.

c) Geophysical Logs

A copy of all wire line or geophysical logs run on the well shall be submitted to the State Geological Survey within 90 days after drilling ceases, or in the case of a conversion, after the completion of conversion activities.

d) Drill Cuttings

- 1) Notification and Collection of Drill Cuttings

The Department shall notify the permittee when cuttings are required to be collected. Drill cuttings shall be collected for each run drilled in cable tool wells and each ten (10) feet of distance drilled in rotary or air drilled wells. The permittee shall obtain containers for the cuttings, and deliver the cuttings to the Illinois State Geological Survey in Champaign, Illinois.

- 2) When Drill Cuttings Required

Drill cuttings shall be submitted for each well when drill cuttings have not previously been submitted from any well within one-half (1/2) mile of the newly permitted well. If the newly permitted well is drilled to a depth greater than any other well within one-half (1/2) mile, drill cuttings shall be requested from the approximate previously submitted depth to the total depth in the newly permitted well.

e) Annual Well Status Report

The permittee of each Class II UIC well shall file an Annual Well Status Report on forms prescribed by the Department. The report shall be filed by May 1 of each year for the preceding calendar year for all wells which have not received Department approval for temporary abandonment or been plugged by the end of the reporting year, and shall include:

- 1) the name and location of the well;
- 2) the names of all injection intervals;
- 3) the setting depth of the packer; and
- 4) the average monthly injection rates and pressures.

f) Annual Enhanced Oil Recovery Project Report

The operator of an enhanced oil recovery project shall complete an annual project report on forms prescribed by the Department and submit the report to the State Geological Survey by May 1 of each year.

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

(Source: Amended at 18 Ill. Reg. _____, effective
MAY 13 1994)

SUBPART H: LEASE OPERATING REQUIREMENTS

Section 240.810 Tanks and Containment Dikes

a) Tank Requirements

- 1) All tanks shall be surrounded by containment dikes except tanks located in a floodplain that floods at least annually.
- 2) Tanks shall not be buried.
- 3) All tanks shall be maintained in a leak-free condition.
- 4) All open top tanks shall be covered with bird netting or other system designed to keep birds and flying mammals from landing in the tank.

b) Containment Dike Construction

- 1) A containment dike shall have a capacity of at least one and one half (1 1/2) times the largest tank it contains, and be bermed at least eighteen (18) inches above the ground surface.
- 2) Containment dikes shall be constructed of native solid. In areas of sand, containment dikes shall be constructed of non-sandy soils and the bottom lined with at least six (6) inches of non-sandy soil.
- 3) Containment dikes shall not have any breach or other uncontrolled conduit that penetrates the dike and allows the discharge of produced water, liquid oilfield wastes or stormwater.
- 4) Discharge of produced fluids, stormwater or other liquid oilfield wastes is prohibited, unless the permittee obtains an NPDES permit from the Illinois Environmental Protection Agency (IEPA).
- c) Containment Dike Maintenance
 - 1) The area within the dike shall remain free of liquid oilfield waste, general oilfield waste, equipment debris, storm water runoff and excessive vegetation.
 - 2) Any spill escaping from a containment dike shall be cleaned up in accordance with Sections 240.890 and 240.895 of this Part.

(Source: Amended at 18 Ill. Reg. _____, effective
MAY 13 1994)

Section 240.850 Concrete Storage Structures

a) The requirements of this Section apply to:

- 1) All concrete storage structures existing on the effective date of this Section that will continue to be used.
- 2) Any new concrete storage structures constructed after the effective date of this Section.

b) Definition

"Concrete Storage Structure", as used in this Section, is a formed concrete impoundment, the base of which is at or below ground level,

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

used for temporary storage of liquid oilfield waste or produced water prior to disposal.

- c) Concrete Storage Structure Permitting Procedures
- All new concrete storage structures are required to be permitted and may not be used until the permit is issued. All existing concrete storage structures must be permitted or restored in accordance with subsection (e) below within six (6) months after the effective date of this Section. The permittee shall apply for a permit on a form prescribed by the Department which shall include the following:

- 1) A map drawn to scale showing the location of the concrete storage structure relative to the lease boundaries, potable water wells and local surface drainage located within 1/4 mile of the proposed structure.
- 2) Concrete storage structure dimensions.
- 3) Soil types in the area of concrete storage structure construction.
- 4) Chemical analysis of produced water to be temporarily stored in the concrete storage structure showing TDS and chlorides.
- 5) A description of the method for disposal of the produced water or liquid oilfield waste temporarily stored in the concrete storage structure.

d) General Concrete Storage Structure Construction Requirements

- 1) No concrete storage structure shall be located:
 - A) within two hundred (200) feet of an existing inhabited structure, unless the current owner of the structure has provided a written waiver consenting to the construction closer than two hundred (200) feet. Any concrete storage structure located closer than two hundred (200) feet shall be completely fenced to prevent unauthorized access;
 - B) within two hundred (200) feet of a domestic water supply well or twenty-five hundred (2,500) feet of a municipal water supply well;
 - C) within two hundred (200) feet of a stream, body of water, or marshy land, unless the permittee can demonstrate to the Department that construction standards or topography will prevent discharge from the concrete storage structure;
 - D) in an area which is subject to annual flooding by streams, rivers, lakes, or drainage ditches.
- 2) Surface water drainage shall be diverted away from the concrete storage structure.
- 3) Concrete storage structure contents shall not be discharged onto the surrounding land surface or into a stream or other body of water unless a permit has been obtained from the Illinois Environmental Protection Agency ("IEPA").
- 4) The concrete storage structure permit number and the name of the permittee must be posted at the concrete storage structure in a legible and visible manner.
- 5) All concrete storage structures shall be covered with bird netting or other system designed to keep birds and flying mammals

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

- 6) Concrete storage structures, constructed after May 15, 1994, shall be constructed utilizing standard engineering practices using formed concrete bottom and sides and be underlain by a drainage system constructed to allow the monitoring and sampling of fluids present under the structure. The fluid drainage from beneath the pit shall be sampled quarterly. The sample shall be analyzed for chlorides by an "independent testing" facility. The results of the analysis shall be maintained at the facility offices for review upon request, by the Department. If the fluid analysis indicates a leak is present, the Department shall be notified within five (5) days and the pit shall be drained and repaired.
- 7) After installation of the concrete liner and prior to concrete storage structure use, the structure shall be inspected by a Department Well Inspector. The permittee shall correct damages or imperfections before placing liquid oilfield waste or produced water in the concrete storage structure.
- 8) Puncturing or perforating the concrete liner or installing any type of drainage system is prohibited.

e) Concrete Storage Structure Abandonment and Restoration

- 1) Prior to removal or burial of the concrete storage structure:
 - A) The free liquid fraction of the liquid oilfield waste shall be removed and disposed of in a Class II UIC well.
 - B) Crude oil bottom sediments shall be disposed of in accordance with Section 240.940(a) of this Part.
 - C) Pit residue shall be removed from the site and disposed of at an Illinois Environmental Protection Agency permitted non-hazardous special waste landfill.
- 2) If the base of the structure is less than three (3) feet below the ground surface, the structure must be completely dismantled and removed from the site. The surface area shall be leveled and restored in such a manner as to prevent the ponding of water and erosion.
- 3) If any portion of the structure is below the ground surface, the portion of the structure within three (3) feet of the surrounding surface shall be removed. Any remaining structure must be configured to prevent the accumulation of water within the remaining structure and backfilled to prevent surface ponding and subsidence.
- f) Inspection of Concrete Storage Structure

All new or newly permitted concrete storage structures shall be subject to inspection by a Department Well Inspector. If requested at time of the inspection, the concrete storage structure shall be emptied in order to examine the integrity of the structure. The Department may order any remedial work it deems necessary to ensure compliance with Department regulations.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

MAY 13 1994

Section 240.860 Pits

- a) "Pit", as used in this Section, is a synthetic lined or unlined earthen surface impoundment, whether a man-made excavation or a diked area, used for temporary storage of liquid oil field waste or produced water prior to disposal.
- b) Construction of pits other than those specified in Subparts E and K of this Part is prohibited.
- c) All existing pits shall be closed as follows unless constructed in accordance with Section 240.861 of this Part:
- 1) All pits without synthetic liners shall be restored in accordance with subsection (d) below within nine (9) months after the effective date of this Section.
 - 2) Unpermitted synthetic lined pits shall be restored in accordance with subsection (d) below within nine (9) months.
 - 3) Pits with leaking or torn liners shall be restored in accordance with subsection (d) below within nine (9) months.
 - 4) Permitted synthetic lined pits that are not torn or leaking shall be restored in accordance with subsection (d) below within five (5) years from the Department's pit permit date.
 - 5) Synthetic lined pits permitted more than five (5) years ago shall be restored in accordance with subsection (d) below within nine (9) months after the effective date of this Section.
- d) Pits shall be restored as follows:
- 1) Produced water shall be disposed of in accordance with Section 240.930(b).
 - 2) Crude oil bottom sediments shall be disposed of in accordance with Section 240.940(a).
 - 3) The pit residue shall either be:
 - A) removed from the site and disposed of at an Illinois Environmental Protection Agency permitted non-hazardous special waste landfill, or
 - B) consolidated from the sides to the bottom of the pit and covered in place with a clay or synthetic liner sufficient to impede the infiltration of surface water and buried at least five (5) feet below the ground surface. The pit shall be backfilled and graded to promote runoff with no depressions that would accumulate or pond water on the surface. The stability of the backfilled pit shall be compatible with the adjacent land use. The surface area over the backfilled pit area shall be stabilized to prevent erosion.

(Source: Amended at 18 Ill. Reg. _____, effective MAY 13 1994)

Section 240.861 Existing Pit Exemption

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

- a) Any existing pit, on the effective date of this rule, does not have to be closed in accordance with Section 240.860(c) of this Part if constructed as follows:
- 1) The pit must be lined with a synthetic flexible liner that is compatible with the produced fluid and has a coefficient of permeability of no greater than 1×10^{-7} cm/sec and shall be at least 30 mills in thickness. Adjoining sections of liners must be sealed together in accordance with the manufacturer's specifications; and
 - 2) The pit must be underlined by a gravel sub-base, at least 4" in thickness, in which slotted or perforated PVC pipe has been placed in order to provide for under pit drainage. This drainage system must be constructed to allow monitoring and sampling of fluid drainage from underneath the pit.

- b) All existing pits covered by this Section shall be permitted in accordance with Section 240.850(c) of this Part and include an engineering diagram of the construction specifications of the pit.
- c) All existing pits covered by this Section shall be in compliance with Section 240.850(d)(1) through (5) of this Part.
- d) All existing pits covered by this Section shall sample, quarterly, the fluid drainage from beneath the pit. The sample shall be analyzed for chlorides by an "independent testing" facility. The results of the analysis shall be maintained at the facility offices, for review upon request, by the Department.
- e) If the fluid analysis indicates a leak is present, the Department shall be notified within five (5) days and the pit shall be drained and repaired.
- f) All existing pits covered by this Section shall be subject to inspection in accordance with Section 240.850(f) of this Part.

(Source: Added at 18 Ill. Reg. _____, effective MAY 13 1994)

Section 240.880 Spill Notification

- a) Applicability
This Section covers spills of crude oil and produced water from tanks, pits, concrete storage structures, containment dikes and flowlines located within the boundaries of an oil and gas lease, unit, or underground gas storage field. Spills from flowlines beyond the lease, unit, or gas storage field boundaries are included if part of a flowline gathering system transporting produced fluids to a central collection point prior to connection or transfer to a crude oil or gas purchase pipeline. Spills from interstate pipeline or refined product pipeline are not included.
- ab) The following spills of crude oil or produced water onto the surface of the land (if not contained by containment dikes around tanks) shall be reported immediately to the Department's ~~district~~ office District Office responsible for the county where the spill occurred:

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

- 1) spills of crude oil in excess of one (1) barrel; and
- 2) spills of produced water in excess of ten (10) barrels.
- bc) All crude oil spills, regardless of amount, which enter streams, rivers, ponds, lakes, wetlands or other bodies of water, shall be reported immediately to the Illinois Emergency Management Agency (IEMA) and to the Department's district-office District Office responsible for the county where the spill occurred.
- ed) All spills which are not required to be reported in accordance with subsections (a) or (b) above are subject to clean-up requirements of Section 240.890 and Section 240.895 of this Part.

(Source: Amended at 18 Ill. Reg. _____, effective MAY 1, 1994)

SUBPART I: LIQUID OILFIELD WASTE AND SPILL RELATED WASTE
HANDLING AND DISPOSAL

Section 240.920 Issuance of Liquid Oilfield Waste Transportation System and Vehicle Permits

- a) If the applicant satisfies requirements of this Subpart, the Department shall issue a permit to operate a liquid oilfield waste transportation system which shall be kept in the office of the permittee.
- b) If the applicant satisfies requirements of this Subpart, the Department shall issue a vehicle permit, and permit sticker, for each tank. The permit shall be kept in the business office of the liquid oilfield waste transportation system permittee. The sticker shall be affixed to the back of the tank and kept visible.
- c) No permit under this Subpart shall be issued where a final administrative order of the Department is outstanding against the applicant or against a person or permittee who is an officer, director, partner or owner of more than a 5% interest of the applicant.
- d) Permits to operate a liquid oilfield waste transportation system shall be valid for as long as the permittee maintains the bond required under Subpart B of this Part and otherwise complies with the provisions of this Subpart.
- e) Vehicle (tank) permits shall be valid for two (2) years from the date of issuance and shall be renewed by making application to the Department, accompanied by the required fee, at least 30 days prior to expiration of the vehicle permit.
- f) Liquid oilfield waste transportation system and vehicle permits are not transferable.

(Source: Amended at 18 Ill. Reg. _____, effective MAY 1, 1994)

Section 240.950 Crude Oil Spill Waste Disposal

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

a) Contaminated Soil

- 1) The soil affected by a spill shall be:
- A) fertilized with 5 pounds of 12-12-12 fertilizer or an amount of other fertilizer sufficient to treat the soil with 0.25 lbs of nitrogen per 100 square feet of affected area;
- B) lined with at least 50 lbs of agricultural grade lime per 100 square feet of affected area in order to maintain a pH of between 6-8; if the pH of the soil/oil mixture is less than 6, additional lime shall be incorporated to increase pH above 6;
- C) tilled to a depth of at least four (4) inches but no greater than twelve (12) inches to create a soil and crude oil mixture which is less than 5% total petroleum hydrocarbon (TPH) as determined using Environmental Protection Agency Method 418.1;
- D) watered to maintain soil moisture sufficient to promote plant growth (if extremely dry soil conditions exist); and
- E) stabilized to minimize erosion and run-off of stormwater.
- 2) If the soil in the affected area is frozen or previously saturated due to rain or snow melt, prohibiting compliance with subsection (a)(1)(A) through (D) above, the permittee shall stabilize the area to prevent any surface run-off from leaving the affected area until conditions permit compliance with subsection (a)(1)(A) through (D) above.
- 3) The soil affected by the spill shall be tested one year later using Environmental Protection Agency Method 418.1. The soil and crude oil mixture must be less than 1% total petroleum hydrocarbon (TPH).
- b) Contaminated Absorbent Materials
- 1) Off-site disposal
- All non-organic/non-biodegradable absorbent materials and all organic/biodegradable materials in excess of five hundred (500) cubic feet shall be disposed of at a permitted non-hazardous special waste landfill. Organic/biodegradable materials amounting to less than five hundred (500) cubic feet may be disposed of at a permitted non-hazardous special waste landfill or disposed of in accordance with subsection (b)(2)(B) below.
- 2) On-site disposal
- A) On-site disposal of non-organic/non-biodegradable absorbent materials is prohibited. These materials must be removed in accordance with subsection (b)(1) above.
- B) On-site disposal of less than five hundred (500) cubic feet of organic/biodegradable absorbent materials through landspreading is permitted if it involves only materials generated at the site.
- C) Landspreading absorbent materials shall comply with Section 240.950 subsection (a) above.
- c) Emergency Burning
- 1) Open burning of spilled crude oil and/or absorbent material is

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

permitted when imminent weather conditions threaten to further contaminate surface waters or immediate collection for disposal is impractical.

- 2) Burning shall only be permitted when conditions will not cause the burn to affect nearby residences or the visibility on nearby roads.

- 3) ~~Approval must be received from IDPA prior to the emergency burn; the individual seeking approval shall be aware of:~~

A) ~~the distance to the nearest public road and residential home; and~~

B) ~~the wind direction and velocity;~~

- 4) Approval must be received from the Department prior to the emergency burn, and Department personnel must be on the scene throughout the burn.

- 5) The local fire department shall be notified, if the burn is near a town or city.

- 6) A report must be filed with the Illinois Environmental Protection Agency within ten (10) days after the burn, indicating:

A) the place and time of the burn;

B) the quantity burned;

C) meteorological conditions; and

D) the reason the emergency burn was necessary.

(Source: Amended at 18 Ill. Reg. _____, effective MAY 13 1994)

SUBPART K: PLUGGING OF WELLS

Section 240.1110 Definitions

For the purpose of this Subpart, the term:

"Cased Well" means a well in which production casing has been set.

"Cement" means class A neat cement with a minimum weight of fifteen and six tenths (15.6) pounds per gallon, unless the cement contains additives which improve the ability of the cement to provide necessary protection and which maintains a minimum compressive strength of 500 PSI after 72 hours.

"Circulation Method" means placement of cement used in plugging a well by circulating cement through a pipe set at a specified depth in the well.

"Dump Bailor Method" means placement of cement used in plugging a well by using a dump bailer on a wire line.

"Inactive Well" means a well that has ceased operation for a period of up to twenty-four (24) consecutive months.

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

"Mechanical Plug" means a cast iron bridge plug or ~~drillable~~ retrievable plug.

"Mud" means a drilling mud with a minimum Marsh Funnel viscosity of forty-five (45) seconds. Mud may contain water (fresh or brine), Bentonite, Attapulgite or other additives if they do not reduce the viscosity below forty-five (45) seconds.

"Plugging Fluid Waste" means plugging fluids, including cement, that are generated from the well during plugging activities.

"Uncased Well" means a well in which production casing has not been set.

(Source: Amended at 18 Ill. Reg. _____, effective MAY 13 1994)

Section 240.1120 Plugging of Uncased Wells

- a) Any well in which production casing is not set and cemented shall be plugged in accordance with Section 240.1140 of this Part within 30 days after drilling has ceased unless an extension of time has been granted by the Department. In determining whether to grant an extension and in determining the length of an extension, the Department will consider:

1) the permittee's specific plans for further wellbore evaluation or utilization;

2) the total depth of the well;

3) the depth of surface casing;

4) a description of the current condition of the hole including a description of the drilling fluids currently in the well.

- b) If the Department determines, based upon field observation, that the uncased well presents a risk of contamination to the environment, or a risk of fire or public safety hazard due to the leaking of well bore fluids or the escape of flammable or toxic gases, the permittee shall commence plugging the well within twenty four (24) hours after notification by the Department.

(Source: Amended at 18 Ill. Reg. _____, effective MAY 13 1994)

Section 240.1130 Plugging or Temporary Abandonment of Abandoned or Inactive Wells and Certain Class II UIC Wells

- a) Any inactive well which has not been in operation for 24 consecutive months ~~production well which has ceased operation for a period of twenty-four (24) months as of or after the effective date of this Part~~ shall be deemed abandoned, in accordance with Section 240.1600(c) of this Part, and plugged in accordance with Section 240.1140 of this

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

Part unless the well has been temporarily abandoned in accordance with subsection (d) below.

- b) Any Class II UIC well(s) without tubing and packer shall be plugged in accordance with Section 240.1140 of this Part unless the well has been temporarily abandoned in accordance with subsection (d) below.

c) ~~All Class II UIC wells--equipped with--tubing--and--packer--shall--be tested--in--accordance--with--Section--240-760--of--this--Part--or--temporarily in--accordance--with--subsection--(d)--below--~~

dc) The permittee may request temporary abandonment status by making written application on forms provided by the Department. The Department shall place the well on temporary abandonment status if the well meets the following conditions (which shall be continuing requirements):

- 1) The well shall have proper bond in effect in accordance with the Act, the permittee must not be delinquent in payment of any annual well fee assessment and any final administrative decision of the Act relating to the well must be abated.

- 2) The well shall have an intact leak free wellhead or be capped with a valve, and configured to monitor casing or annular pressure.

- 3) If the well is an injection well, all injection lines shall be disconnected at the well.

- 4) The wellhead shall be above ground level.

- 5) The fluid level is no higher than one hundred (100) feet below the base of the fresh water as evidenced by an annual fluid level test conducted by the permittee after notice to and under the supervision of the Department, using acoustical or wire line measuring methods. If the Department authorizes the permittee to conduct an annual fluid level test without the presence of a well inspector, the permittee shall report the annual fluid level test on a form prescribed by the Department. The fluid level test shall be conducted annually during the period of temporary abandonment unless the permittee elects to satisfy the requirements of subsection (6)(B) or (C) below.

- 6) If the fluid level, as tested, is higher than one hundred (100) feet below the base of the fresh water, the permittee, under the supervision of the Department, shall:

A) set a mechanical bridge plug within 200 feet above the perforated or open hole interval in the cemented portion of the casing, but no less than 100 feet below the base of the fresh water, remove any fluid to a level at least 100 feet below the base of the fresh water zone, and monitor the fluid level annually in accordance with subsection (5) above; or

B) set a mechanical bridge plug within 200 feet above the perforated or open hole interval in the cemented portion of the casing, but no less than 100 feet below the base of the fresh water, and pressure test the casing by maintaining a pressure of 300 PSIG (which may vary no more than 5%) for a

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

period of 30 minutes at least once every five (5) years during any period of temporary abandonment; or

- C) install tubing and set a packer in accordance with the requirements of Section 240.740, and conduct and pass an internal mechanical integrity test in accordance with Section 240.760 of this Part.

- d) If temporary abandonment request is denied, the permittee shall, within ninety (90) days, plug the well or secure temporary abandonment status.

- e) Temporary abandonment status shall be granted for a five (5) year period. After the expiration of the five (5) year period, temporary abandonment status shall be granted on an annual basis. Temporary abandonment status shall not be extended or renewed for a Class II UIC well unless the well is tested in accordance with Section 240.760 of this Part.

- f) A temporarily abandoned well shall not be operated until it is reactivated by notifying the Department on a form prescribed by the Department. In addition, if the well is an injection or disposal well, the well shall not be reactivated until tubing and packer is set and an internal mechanical integrity test is passed in accordance with Section 240.760 of this Part.

(Source: Amended at 18 Ill. Reg. _____, effective MAY 13 1994)

Section 240.1140 General Plugging Procedures and Requirements

- a) Notification of Well-Inspector District Office

The permittee shall contact the ~~well-inspector-for-the-county-in-which the--well--is--located~~ District Office at least twenty-four (24) hours prior to plugging a cased well, or as soon as possible after determination has been made to plug an uncased well.

- b) Well Drilling and Construction Data

For all cased wells, the permittee shall have a well log and the well completion report at the site for review by the well inspector at the scheduled time of plugging. If the permittee cannot locate well logs or the well completion report, the permittee shall make available at the site copies of any logs and well construction records maintained by the Illinois State Geological Survey. For all uncased wells, all available drilling and well construction information shall be at the well site for review by the well inspector at the time of plugging.

- c) Foreign Material Prohibited

1) Except for an unavoidable loss of drilling or logging tools or procuring equipment, placing or lodging any material or substance, other than those authorized to be used in plugging under this Subpart, in an unplugged well to either fill or bridge the hole is prohibited.

2) Foreign materials which have been placed in the hole shall be removed before plugging operations are commenced.

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

d) Plugging A Bridged Well

When a well becomes plugged or obstructed because of the loss of drilling or logging tools or producing equipment, which would be impractical to remove, the Department may vary the plugging requirements of this Section and specify alternative plugging requirements. In determining whether to approve and in selecting alternative plugging requirements, the Department shall consider the time and cost of removing lost tools or equipment, the potential for damage to fresh water and coal seams and the depth of the lost tools or equipment in relation to the depth of fresh water zones and coal seams, and well construction characteristics.

(Source: Amended at 18 Ill. Reg. _____, effective _____
MAY 13 1994)

Section 240.1190 Filing Plugging Affidavit Report

Immediately after the plugging of any well has been completed, an affidavit shall be executed by the permittee or his representative shall complete and file a plugging report on a form provided by the Department or provide necessary documents to the District Office containing information sufficient to complete a plugging report if a representative from the Department was not present at the well site during plugging, by the permittee or his representative and the well inspector who supervised the plugging operation. The plugging affidavit shall identify the ownership and location of the well and describe the methods and materials used in plugging the well and shall be retained by the Department.

(Source: Amended at 18 Ill. Reg. _____, effective _____
MAY 13 1994)

SUBPART L: REQUIREMENTS FOR OTHER TYPES OF TEST WELLS

Section 240.1200 Applicability

The provisions of this Subpart apply to wells and drill holes other than oil or gas production wells, and Class II UIC wells covered by Subparts B and C, Gas Storage and Service wells covered by Subparts R and S. This Subpart applies to the following types of wells or drill holes:

- a) Gas Storage Well—a well drilled for input and/or withdrawal of natural gas in a natural gas storage project;
- b) Observation Well—a well drilled to monitor subsurface conditions in oil and gas projects or gas storage projects;
- ca) Coal or Mineral Groundwater Monitoring Well: a well drilled to monitor groundwater conditions in coal or mineral mining projects. A permit under this Subpart is not required in areas covered by a permit issued by the Department under the Surface-Mined Land Conservation and Reclamation Act (Ill. Rev. Stat. 1991, ch. 96 1/2, par. 4501 et seq.) [225 ILCS 715] and the Surface Coal Mining Land Conservation and

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

Reclamation Act (Ill. Rev. Stat. 1991, ch. 96 1/2, par. 7901.01 et seq.) [225 ILCS 720].

- db) Structure Test Hole: a hole drilled to evaluate the geologic nature of underlying strata for use in an oil and gas, gas storage or mining project. A permit under this Subpart is not required for holes which do not penetrate bedrock or for seismograph shot holes or for holes located in areas covered by a permit issued by the Department under the Surface-Mined Land Conservation and Reclamation Act and the Surface Coal Mining Land Conservation and Reclamation Act.
- ec) Coal Test Hole: a hole drilled to test for the presence, quality or quantity of coal. Coal strip mine overburden blast holes do not require a permit.

fd) Mineral Test Hole: a hole drilled to test for the presence, quality or quantity of minerals including metallics, fluorspar, shale, limestone and sandstone or any other mineral which will be mined or quarried, excluding unconsolidated sand and gravel. Mineral test holes which do not penetrate bedrock do not require a permit under this Subpart. Quarry drill holes drilled on property owned by and contiguous to any established quarry do not require a permit.

g) Service Well—a well drilled to perform a service or function in relation to oil and gas production or a gas storage project or mining activity coming within this Subpart but not covered by subsections (a) through (f) of this Section. A permit is not required under this Subpart in areas covered by a permit issued by the Department under the Surface-Mined Land Conservation and Reclamation Act and the Surface Coal Mining Land Conservation and Reclamation Act.

(Source: Amended at 18 Ill. Reg. _____, effective _____
MAY 13 1994)

Section 240.1205 Application for Permit to Drill or Convert to Other Types of a Test Well Wells or Drill Hole Holes

- a) No person shall drill or convert a well or drill a test well or hole covered by this Subpart without a permit from the Department.
- b) Application for a permit to drill or convert an observation gas storage or service well shall be made on forms prescribed by the Department. The application shall be executed under penalties of perjury and accompanied by the non-refundable fee of \$100 and the bond required under Subpart G.
- cb) An application for a permit to drill a coal test hole, mineral test hole, structure test hole, or coal or mineral groundwater monitoring well shall:

- 1) be made on forms prescribed by the Department.
- 2) the application shall be executed by the permittee or a duly authorized person, and accompanied by the non-refundable fee of \$100 per section, or part thereof, as delineated by the United States Public Land Survey, not to exceed \$500 for any permittee in any calendar year.

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

- 3) Contain a statement indicating whether the well or drill hole is located over an underground gas storage field as defined in Section 240.1805(c) of this Part or the gas storage rights are owned by someone other than the lessor under the oil and gas lease; the applicant shall submit documentation establishing compliance with Section 240.1820 of this Part.
- 4) the applicant shall also submit the Be accompanied by the bond required under Subpart O.

(Source: Amended at 18 Ill. Reg. _____, effective MAY 13 1994)

Section 240.1210 Contents of Application for Permit to Drill or Convert to an Observation, Gas Storage Well or Service Well [Repealed]

The application for a permit shall include:

- a) The name of the well;
- b) The surveyed location and ground elevation of the well; tail well locations shall be surveyed by a registered Illinois Land Surveyor or an Illinois Registered Professional Engineer; a survey is not required for a converted or deepened well or a drilled out plugged hole if the original well location was surveyed;
- c) A brief statement of the purpose of the well and a schematic showing the proposed construction of the well;
- d) The necessary information on a form prescribed by the Department to show applicant has the right to drill and to operate;
- e) A statement as to whether the proposed well location is within the limits of any incorporated city, town or village and a certified copy of the official consent of the municipal authorities if the well is within the corporate limits;
- f) The name and address of the drilling contractor and the type of drilling tools or equipment to be used;
- g) A statement whether the well is located over an active miner temporarily abandoned mine or within the undeveloped limits of a miner and whether the coal rights are owned by someone other than the lessor under the oil and gas lease;
- h) The proposed depth of the well and the name of the lowest geologic formation to be penetrated;

(Source: Repealed at 18 Ill. Reg. _____, effective MAY 13 1994)

Section 240.1230 Authority of Person Signing Application

- a) All applications for structure, coal and mineral test holes and mineral and coal groundwater monitoring wells shall identify whether the applicant is an individual, partnership, corporation or other entity and shall contain the address and signature of the applicant or person authorized to sign for such applicant.

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

- 1) for gas storage observation and service wells shall identify whether the owner of the right to drill and to operate the well is an individual partnership corporation or other entity and shall contain the address and signature of the owner or person authorized to sign for such owner and
- 2) for structure coal and mineral test holes and mineral and coal groundwater monitoring wells shall identify whether the applicant is an individual partnership corporation or other entity and shall contain the address and signature of the applicant or person authorized to sign for such applicant
- b) If the applicant is an individual, the application shall be signed by the individual. If the applicant is a partnership, the application shall be signed by the general partner. If the applicant is a corporation, the application shall be signed by an officer of the corporation.
- c) In lieu of the signature of the applicant or such authorized persons, the application may be signed by a person having a power of attorney to sign for such owner or authorized person, provided a certified copy of the power of attorney accompanies the application.
- d) The entity or person to whom the permit is issued shall be called the Permittee and shall be responsible for all regulatory requirements relative to the well or drillhole.
- e) If the applicant is a corporation, the charter must authorize the corporation to engage in the permitted activity, and the corporation must be incorporated or authorized to do business in the State of Illinois.

(Source: Amended at 18 Ill. Reg. _____, effective MAY 13 1994)

Section 240.1240 Issuance of Permit

- a) If the applicant satisfies the requirements of the Act and Rules, the Department shall issue a permit.
- b) A permit shall not be issued if a final administrative order of the Department is outstanding against the applicant or against a person or permittee who is an officer, director, partner or owner of more than a 5% interest of the applicant.
- c) Gas storage observation mineral or coal groundwater monitoring and service well permits shall expire one (1) year from the date of issuance unless acted upon by commencement of drilling or converting operations authorized by the permit.
- d) Coal, mineral and structure test hole permits expire one (1) year from date of issuance.
- e) Gas storage observation mineral or coal groundwater monitoring well permits are not transferable prior to the drilling of the well or test hole.
- f) Coal, mineral and structure test hole permits are not transferable.

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

(Source: Amended at 18 Ill. Reg. _____, effective _____, MAY 13 1994)

Section 240.1250 When Wells Shall Be Plugged and Department Notification

a) ~~Gas-storage-observation-and-service-wells-shall-be-plugged-when-no longer-used-for-the-purpose-for-which-they-were-permitted-unless converted-in-accordance-with-Section-240.1220-At-least-24-hours prior-to-commencing-plugging-the-permittee-shall-notify-the-District office-for-the-county-in-which-the-well-is-located.~~

ba) Structure, coal and mineral test holes shall be plugged within thirty (30) days after drilling ceases unless converted to a potable water well in accordance with Section 240.1290; however, if such hole is to be used as a mineral or coal groundwater monitoring well, the well shall be plugged in accordance with subsection (c) below. The permittee shall contact the District Office responsible for the area in which the permit is located 24 hours prior to beginning drilling operations covered by that permit.

eb) Mineral or coal groundwater monitoring wells shall be plugged when no longer used for the purpose for which they were permitted. At least 24 hours prior to commencing plugging the permittee shall notify the District office for the county in which the well is located.

(Source: Amended at 18 Ill. Reg. _____, effective _____, MAY 13 1994)

Section 240.1260 Plugging and Restoration Requirements

a) ~~Gas-storage-and-observation-wells-shall-be-plugged-in-accordance-with Subpart-K:~~

ba) Coal or mineral groundwater monitoring wells, structure test holes, coal test holes⁷ and mineral test holes ~~and-service-wells~~ shall be plugged as follows:

- 1) If the total depth of the well or hole extends below the base of the freshwater as determined by the Department, the well or hole shall be plugged from total depth to the top of the bedrock with cement. When the plugging requirements of subsection (b)(1) would be impractical due to the presence of fractures in the bedrock or other geologic conditions that would prohibit the containment of fluids in the well, the Department may authorize alternative plugging requirements. In determining whether to approve and in selecting alternative plugging requirements, the Department shall consider the total depth of the hole and the depth and quality of the freshwater.
- 2) If the total depth of the well or test hole does not extend below the base of the freshwater as determined by the Department, the hole shall be plugged as stated above or may be plugged by

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

circulating bentonite slurry from total depth to surface. When the plugging requirements of subsection (b)(2) would be impractical due to the presence of fractures in the bedrock or other geologic conditions that would prohibit the containment of fluids in the well, the permittee shall place a bridge plug above the fractured zone and circulate bentonite slurry from the plug to the surface.

eb) At the conclusion of drilling, all drill cuttings shall be buried in drill pits or landspread (with permission of surface owner), and all pits used in drilling shall be filled and restored to support farm machinery, and all drilling debris shall be removed from the site.

(Source: Amended at 18 Ill. Reg. _____, effective _____, MAY 13 1994)

Section 240.1280 Converting to Water Well

a) ~~Gas-storage-observation-coal-coal or mineral groundwater monitoring and service wells may not be converted to a water well required to have a permit from the Illinois Department of Public Health.~~

b) Mineral, coal and structure test wells may be converted to water wells required to have a permit from the Illinois Department of Public Health provided the permittee obtains a permit from the Illinois Department of Public Health.

(Source: Amended at 18 Ill. Reg. _____, effective _____, MAY 13 1994)

SUBPART N: TRANSFER OF OWNERSHIP PERMIT

Section 240.1410 Applicability

a) The provisions of this Subpart apply to all assignments, transfers (whether voluntary or involuntary) and sales of the interest of the individual or entity required to hold and to whom the permit is issued, including:

- 1) a change of ownership through assignment, voluntary release, involuntary termination of lease rights by court order, new base lease, sale, gift, devise or other transfer;
- 2) a change in the designation of the operator or manager under an operating or other similar agreement, or pursuant to the action of the owners in interest; and
- 3) the appointment, by a court of competent jurisdiction, of a trustee or a receiver to exercise custody and control over the well or wells.

b) The provisions of this Subpart shall not apply to the assignment, transfer or sale of royalty, overriding royalty or fractional working interests not affecting the rights or responsibilities of the permittee.

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

- c) The provision of this Subpart shall also apply to administrative record correction transfers initiated by the Department in which the Department transfers the permit to a well to the person who is required to be the permittee for that well under the Act.

(Source: Amended at 18 Ill. Reg. _____, effective MAY 13 1994)

Section 240.1440 Responsibilities of New Permittee

The new permittee shall:

- pay the required transfer fee;
- provide the required bond, if applicable, in accordance with Subpart O;
- if the new permittee is a corporation, provide evidence that the corporation is incorporated or authorized to do business in the State of Illinois, and authorized under its charter to engage in the permitted activity; and
- if the new permittee is an individual, partnership, or other unincorporated entity that is not a resident of Illinois, provide an irrevocable consent to be sued in Illinois; and
- if requested by the Department, provide copies of the lease assignment, voluntary release, court order involuntarily terminating a lease, new base lease, or other documents evidencing the assignment, transfer or sale to the new permittee of the right to drill and operate the well or wells on the lands in question.

(Source: MAY 13 1994 at 18 Ill. Reg. _____, effective MAY 13 1994)

Section 240.1450 Other Conditions for and Effect of Transfer

- No permit shall be transferred to a new permittee:
 - who is delinquent in the payment of fees assessed under Section 19.7 of the Act;
 - on account of whom any amounts have been obligated from the Plugging and Restoration Fund that have not been reimbursed; or
 - against whom the Department has issued a final administrative decision that has not been abated or satisfied.
- When the requirements of this Subpart have been satisfied, and subject to subsections (d) and (e) below, the Department shall render permit transfer decisions based upon the manner in which the new permittee came into possession of the wells sought to be transferred. Specifically:
 - a new permittee who is the mineral owner:
 - if the new permittee owns the mineral rights to the tract of land on which production or injection wells subject to a prior lease are located and came into possession of the right to operate such wells by virtue of a voluntary release or involuntary termination

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

of lease rights by court order, this new permittee shall become responsible for all regulatory requirements relative to:

- each production well identified in the new permittee's permit transfer application;
- all wells in existence within the prior lease if the new permittee seeks to operate any of the injection wells located within this leasehold, convert any production well to an injection well or drill a new injection well; and
- all pits, concrete storage structures, tank batteries and other surface production facilities in existence within the lease boundaries.

- the new permittee is a new base lessee:

if the new permittee came into possession of the right to operate wells by virtue of a new base lease, this new permittee shall become responsible for all regulatory requirements relative to the wells identified within the lease document except that:

- if the new permittee shall also become responsible for all regulatory requirements relative to the wells identified within the notification of transfer form submitted in accordance with Section 240.1430 of this Part; and

- if the new base lessee if the new base lease conveys the right to produce from all formations, and the new base lessee permits or operates any injection well located within the tract of land being leased, converts any production well to an injection well or drills a new injection well within this area, this new permittee shall become responsible for all regulatory requirements relative to all wells, concrete storage structures, pits and tank batteries in existence within such tract of land; or

- if the new base lease conveys the right to produce from specified formations only, and the new base lessee permits or operates any injection well located within the formations specified in the new base lease, converts any production well to an injection well or drills a new injection well to the specified formations, this new permittee shall become responsible for all regulatory requirements relative to all wells drilled to the same formation as the injection well, and all concrete storage structures, pits and tank batteries in existence relative to that formation.

- a new permittee who is an assignee:

if the new permittee came into possession of the right to operate wells by virtue of a lease assignment, this new permittee shall become responsible for all regulatory requirements relative to all wells, concrete storage structures, pits and tank batteries in existence within the lease hold being assigned.

- If any well, or any lease or other unit associated with the well, is in violation of the Act or rules at the time of the transfer to the new permittee, the new permittee shall be notified of its violations and the allotted time for abatement, at the time of transfer. 7

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

transfer shall be conditioned upon the abatement of the violation within the time specified by the Department.

d) The transfer of a permit pursuant to this Subpart shall not affect the rights of the Department, or any obligation or duty of the current permittee arising under the Act and rules. Any cause of action accruing or any action or proceeding had or commenced, whether administrative, civil or criminal, may be instituted or continued without regard to the transfer of the permit in accordance with this Subpart.

e) A current or new permittee may request a hearing to challenge a permit transfer if such hearing is requested in writing within fifteen (15) days after the permit transfer is mailed. If no hearing is requested in this time period, the permit transfer shall be a final administrative decision of the Department. If a hearing is requested by the current or new permittee, the hearing shall be scheduled within fifteen (15) days after the receipt of the request for hearing.

f) At the permit transfer hearing, the Department shall present evidence in support of this determination under subsection (b) above. Both the current and the new permittee may present evidence contesting the Department's determination under subsection (b) above. The hearing officer may administer oaths and affirmations, subpoena witnesses and written or printed materials, compel attendance of witnesses or production of those materials, compel discovery, and take evidence.

g) Within thirty (30) days after the close of the record for the permit transfer hearing, the hearing officer shall issue recommended findings of fact, recommended conclusions of law and recommendations as to the disposition of the case.

(Source: Amended at 18 Ill. Reg. _____, effective MAY 13 1994)

Section 240.1480 Administrative Record Correction Transfer

a) The Department may administratively transfer a permit to a person required to be the permittee under the Act when the Department determines, based on its records and documents of title submitted to it, that the current permittee is not an owner of the well as defined in the Act.

b) The new permittee must satisfy the requirements of Section 240.1440(b), (c) and (d).

c) Upon determination of an Administrative Record Correction Transfer, the Department shall notify the current and new permittees of the transfer which will be effective 30 days from the date of notice unless a hearing is requested in accordance with subsection (d) below.

d) A current or new permittee may request a hearing to challenge a pending permit transfer if such hearing is requested in writing within 30 days after the date of the transfer notice. All requests for hearing must be accompanied by documents evidencing basis for objection. If no hearing is requested in this time period, the permit

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

transfer shall be a final administrative decision of the Department. If a hearing is requested by the current or new permittee:

1) A pre-hearing conference shall be held within fifteen (15) days after the receipt of the request for hearing.

A) A pre-hearing conference shall be scheduled in order to:

i) Simplify the factual and legal issues presented by the hearing request;

ii) Receive stipulations, admissions of fact and of the contents and authenticity of documents;

iii) Exchange lists of witnesses the parties intend to have testify and copies of all documents the parties intend to introduce into evidence at the hearing;

iv) Set a hearing date; and

v) Discuss and resolve such other matters as may tend to expedite the disposition of the hearing request and to assure a just conclusion thereof.

B) Pre-hearing conferences may be held by telephone conference if such procedure is acceptable to all parties.

2) All hearings under this Subpart N shall be conducted in the Department's offices located at 300 West Jefferson Street, Suite 300, Springfield, Illinois.

e) At the permit transfer hearing, the Department shall present evidence in support of its determination under subsection (a) above. Both the current and the new permittee may present evidence contesting the Department's determination under subsection (a) above. The hearing officer may administer oaths and affirmations, subpoena witnesses and written or printed materials, compel attendance of witnesses or production of those materials, compel discovery, and take evidence.

f) Within thirty (30) days after the close of the record for the permit transfer hearing, the hearing officer shall issue recommended findings of fact, recommended conclusions of law and recommendations as to the disposition of the case.

g) The person or permittee's failure to request a hearing in accordance with subsection (c) shall constitute a waiver of all legal rights to contest the permit transfer decision. Within 30 days after the close of the hearing record or expiration of the time to request a hearing, the Department shall issue a final administrative decision, pursuant to Section 10 of the Act.

h) The Director shall review the administrative record in conjunction with the hearing officer's recommended findings of fact, recommended conclusions of law and recommendations as to the disposition of the case. The Director shall then issue the Department's final administrative decision affirming, vacating or modifying the hearing officer's decision.

(Source: MAY 13 1994^t 18 Ill. Reg. _____, effective _____)

SUBPART O: BONDS

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

Section 240.1500 When Required, and Amount and When Released

- a) To Drill, Deepen, Convert or Operate an Oil or Gas Well
- 1) A bond, in the amount as herein provided, shall be submitted along with an application to drill, deepen, convert, operate or transfer a production or Class II well if:
- A) such applicant was not an owner of the right to drill and produce in a well of record with the Department on September 26, 1991; or
- B) such applicant was not a permittee of record on September 26, 1991; or
- C) such applicant has had a bond forfeited; or
- D) such applicant was not assessed an annual well fee as of July 1 preceeding the application date; or
- E) the Department has issued a final, unappealed administrative decision citing the applicant for failing to pay fees assessed under Section 19.7 of the Act.
- 2) When a bond is required to be filed with the Department to drill, deepen, convert or operate an oil or gas well, the amount of the bond shall be:
- A1) \$1,500 for a well less than 2000 feet deep;
- B2) \$3,000 for a well 2,000 or more feet deep;
- C3) \$25,000 for up to 25 wells of a permittee;
- D4) \$50,000 for up to 50 wells of a permittee; or
- E5) \$100,000 for all wells of a permittee.
- 3) A bond submitted pursuant to Section 240.1500(a) shall be released when:
- A) all wells covered by the bond are plugged and restored in accordance with Subpart N of these rules; or
- B) all wells covered by the bond are transferred in accordance with Subpart N of these rules; or
- C) the permittee has paid assessments to the Department in accordance with Section 19.7 for two (2) consecutive years and such permittee is not in violation of the Act.
- b) To Operate a Liquid Oil Field Waste Transportation System
- The amount of bond required to be filed with the Department before a permit is issued authorizing a person to operate a liquid oil field waste system shall be \$10,000. When requested by permittee, bond shall be released when the permittee ceases operation and this system and such permittee's system is not in violation of the Act.
- c) To Drill a Test Hole
- The amount of bond required to be filed with the Department before a permit is issued to drill a geological structure, coal or other mineral test hole, or a monitoring well in connection with any activity regulated by the Department shall be \$2500 for each hole or a blanket bond of \$25,000 for all holes. The bond requirements of this Subpart shall not apply to a hole or well drilled on acreage permitted and bonded under the Surface-Mined Land Conservation and Reclamation Act (Ill. Rev. Stat. 1999 1991, ch. 96 1/2, par. 4501 et seq.) [225

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

ILCS 715] or the Surface Coal Mining Land Conservation and Reclamation Act (Ill. Rev. Stat. 1989 1991, ch. 96 1/2, par. 7901.01 et seq.) [225 ILCS 720]. When requested by permittee, bonds shall be released when the hole or holes are plugged and restored in accordance with Section 240.1260 and the permittee is not in violation of the Act.

(Source: Amended 1994 at 18 Ill. Reg. _____, effective MAY 18 1994)

Section 240.1510 Definitions

- a) Bond means surety bond or other security in lieu thereof.
- b) Surety bond means an indemnity agreement in a sum certain payable to the Department, executed by the permittee as principal and which is supported by the guarantee of a corporation authorized to transact business as a surety in Illinois. Surety bond does not include surplus line insurance procured by a surplus line producer.
- c) Other security means an indemnity agreement in a sum certain executed by the permittee as principal which is supported by the deposit with the Department of one or more of the following:
- 1) A cash account, which shall be the deposit of cash in one or more federally-insured or equivalently protected accounts, payable only to the Department upon demand;
 - 2) Negotiable-government-securities, endorsed-to-the-order-of,--and placed-in-the-possession-of,--the-Department,
 - 2)3) An irrevocable letter of credit of any bank organized or authorized to transact business in Illinois, payable only to the Department upon presentation;
 - 3)4) Certificates of deposit, drawn on a federally insured bank, made payable or assigned to the Department and placed in its possession.

(Source: Amended at 18 Ill. Reg. _____, effective MAY 18 1994)

Section 240.1520 Bond Requirements

- a) Form
- Bonds shall be in such form and content as the Department prescribes, payable to the "Illinois Department of Mines and Minerals."
- b) Conditions Generally
- 1) Each bond shall conform with the requirements of the Act and this Part and with the declared purpose for which the bond is required.
 - 2) Bonds shall remain in effect until the obligations for which it is given have been satisfied and the bond has been released by the Department, pursuant to the Act and this Subpart.
- c) Surety Bond Requirements
- 1) Bonds shall be signed by the permittee as principal, and by a

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

good and sufficient corporate surety, authorized to transact business as a surety in Illinois.

- 2) Each surety bond shall provide that the bond shall not be cancelled by the surety except after not less than ninety (90) days notice to the Department. Such notice shall be served upon the Department in writing by registered or certified mail to the following address:

Illinois Department of Mines and Minerals
Oil and Gas Division
300 West Jefferson, Suite 300
P.O. Box 10140
Springfield, Illinois 62791-0140

- 3) Prior to the expiration of the ninety (90) days notice of a cancellation, the permittee shall deliver to the Department a replacement bond. If such bond is not delivered, all activities covered by the permit and bond shall cease at the expiration of the ninety (90) day period.

- 4) If the license to transact business in Illinois of any surety upon a bond filed with the Department shall be suspended or revoked, the permittee, within thirty (30) days after receiving notice thereof from the Department, shall make substitution by providing a surety bond or other security as required by this Subpart. Upon the failure of the permittee to make the substitution of bond, all activities covered by the permit and bond shall cease until substitution has been made.

d) Other Securities Requirements

- 1) Letters of credit shall be subject to the following conditions:

- A) The letter may only be issued by a bank organized or authorized to do business in the United States ("issuing bank"). If the issuing bank does not have an office for collection in Illinois, there shall be a confirming bank designated that is authorized to accept, negotiate and pay the letter upon presentation in Illinois.

- B) Letters of credit shall be irrevocable during their terms.

- A letter of credit shall be forfeited and shall be collected by the Department if not replaced by other suitable bond or letter of credit at least thirty (30) days before its expiration date.

- C) The letter of credit shall be payable to the Department upon demand, in part or in full, upon receipt from the Department of a notice of forfeiture issued in accordance with Section 240.1530.

- D) The Department shall not accept a letter of credit in excess of ten percent (10%) of the issuing bank's total capital and surplus accounts, as certified by the President of the bank providing the letter of credit and as evidenced by the most recent quarterly Call Report provided to the Federal Deposit Insurance Corporation.

- E) The letter of credit shall provide on its face that the

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

Department, its lawful assigns, or the attorneys for the Department or its assigns, may sue, waive notice and process, appear on behalf of, and confess judgment against the issuing bank (and any confirming bank) in the event that the letter of credit is dishonored. The letter of credit shall be deemed to be made in Sangamon County, Illinois, for the purpose of enforcement and any actions thereon shall be enforceable in the Courts of Illinois, and shall be construed under Illinois law.

- 2) Certificates of deposit shall be subject to the following conditions:

- A) The Department shall require that certificates of deposit be made payable to or assigned to the Department both in writing and upon the records of the bank issuing the certificates. If assigned, the Department shall require the banks issuing these certificates to waive all rights of setoff or liens against those certificates.

- B) The Department shall not accept an individual certificate of deposit in an amount in excess of the maximum insurable amount as determined by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation.

- C) Any interest accruing on a certificate of deposit shall be for the benefit of the permittee except that accrued interest shall first be applied to any prepayment penalty when a certificate of deposit is forfeited by the Department.

- 3) Cash accounts--certified-checks, or--cashier's--checks shall be subject to the following conditions:

- A) The Department may authorize the permittee to supplement the bond by--submitting-a-certified-check-or-a-cashier's-check or through the establishment of a cash account in one or more federally-insured or equivalently protected accounts made payable upon demand to the Department.

- B) Any interest paid on a cash account shall be returned to the permittee.

- C) The Department shall not accept an individual cash account in an amount in excess of the maximum insurable amount as determined by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation.

(Source: Amended at 18 Ill. Reg. _____, effective MAY 13 1994)

SUBPART P: WELL PLUGGING AND RESTORATION PROGRAM

Section 240.1600 Definitions

The following definitions are applicable to this Subpart:

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

"Abandoned Well" means:

A well: for which the underlying lease has been released in writing by the lessee or has been declared forfeited or invalid by a court order, such order is final and the appeal period has lapsed; and

the lessor states in writing that the lessor has not leased out the oil and gas working interest to any other person and does not intend to so lease, that the lessor does not intend to operate the well, and that the lessor desires that the well be plugged; or

A well owned by a permittee who has made no payment by November 1 of a current annual well fee assessment; or

A well that has not produced for over two (2) years and has failed to comply with temporary abandonment requirements in accordance with Section 240.1330 of this Part.

"Emergency Project" means an emergency well plugging or emergency remedial work PRF Project.

"Emergency Remedial Work" means remedial work to repair or contain leaks from production equipment, pits, or other containment structures of oil or saltwater that are contaminating surface waters or are flowing in sufficient quantity to create an increasing area of contamination on the surface of the land.

"Emergency Well Plugging" means a well or wells that are actively flowing oil or saltwater and are contaminating surface waters or flowing in sufficient quantity to create an increasing area of contamination on the surface of the land, or a well leaking natural gas or hydrogen sulfide gas in sufficient quantity to endanger public safety or create a fire hazard.

"Orphaned Well" means a well for which no permittee exists or can be located, no bond exists and no fees have been paid in accordance with Section 19.8 of the Illinois Oil and Gas Act.

"PRF" means the Department's Plugging and Restoration Fund, established under Section 6 of the Illinois Oil and Gas Act.

(Source: added MAY 13 1994 18 Ill. Reg. _____, effective _____)

Section 240.1610 Plugging Leaking or Abandoned Wells

- a) If the Department finds, upon inspection, that a well drilled for the exploration, development, storage or production of oil or gas, or for injection, salt water disposal, salt water source, observation, and geological or structure test, may be abandoned or leaking salt water,

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

oil, gas or other deleterious substances into any fresh water formation or onto the surface of the land, the Department may schedule a hearing pursuant to Section 19.1 of the Act.

b) Hearings

- 1) Notice of Hearing
Whenever the Department holds a hearing pursuant to Section 19.1 of the Act, the Department shall give written notice to the permittee and surface owner personally or by certified mail sent to the permittee's last known address. The notice shall include the date, time, place, nature of the hearing and the name and address of the hearing officer. The notice shall be mailed at least 14 days prior to the scheduled hearing date.

- 2) Right to Counsel, Appearance

- A) Right to Counsel

Any party may appear and be heard through an attorney at law authorized to practice in the State of Illinois.

- B) Appearance of Attorney

An attorney appearing in a representative capacity in any proceeding hereunder shall file a written notice of appearance identifying his or her name, address and telephone number, and identifying the party represented.

- 3) Burden and Standard of Proof

The Department shall have the burden of proof at the hearing. The standard for decision shall be a preponderance of the evidence.

- 4) Hearing Officer: Powers and Duties

A) The Hearing Officer designated to preside over a hearing shall take all necessary action to avoid delay, to maintain order, and to develop a clear and complete record, and shall have all powers necessary and appropriate to conduct a fair hearing, including the following:

- i) To administer oaths and affirmations;
- ii) To receive relevant evidence;
- iii) To regulate the course of the hearing and the conduct of the parties and their counsel therein;
- iv) To consider and rule upon procedural requests;
- v) To hold conferences for the settlement or simplification of the issues; and
- vi) To examine witnesses and direct witnesses to testify, limit the number of times any witness may testify, limit repetitive or cumulative testimony and set reasonable limits on the amount of time each witness may testify.

B) The Hearing Officer shall allow all parties to present statements, testimony, evidence and argument as may be relevant to the proceeding.

- 5) Hearing Location

All hearings under this Subpart shall be conducted in the Department's offices located at 300 West Jefferson Street, Suite

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

300, Springfield, Illinois. However, the Department may conduct a hearing under this Subpart at a site located closer than Springfield, Illinois, to the production and injection/disposal well identified in the Notice of Hearing if facilities are available and satisfactory to the Department.

Pre-Hearing Conferences

A) Upon the motion of either party, the Hearing Officer shall schedule a conference in order to:

- i) Simplify the factual and legal issues presented by the hearing request;
- ii) Receive stipulations, admissions of fact and of the contents and authenticity of documents;
- iii) Exchange lists of all witnesses the parties intend to have testify and copies of all documents the parties intend to introduce into evidence at the hearing; and
- iv) Discuss and resolve such other matters as may tend to expedite the disposition of the hearing request and to assure a just conclusion thereof.

B) Pre-hearing conferences may be held by telephone conference if such procedure is acceptable to all of the parties.

7) Postponement or Continuance of Hearing

A hearing may be postponed or continued for due cause by the Hearing Officer or upon the motion of a party to the hearing. A motion filed by a party to the hearing shall set forth facts attesting that the request for continuance is not for the purpose of delay. Except in the case of an emergency, motions requesting postponement or continuance shall be made in writing and shall be received by all parties to the hearing at least 3 business days prior to the scheduled hearing date. All parties involved in a hearing shall avoid undue delay caused by repetitive postponements or continuance so that the subject matter of the hearing may be resolved expeditiously.

8) Default

If a party, after proper service of notice, fails to appear at a pre-hearing conference or at a hearing, and if no continuance is granted, the Department may then proceed and make its decision in the absence of such party. If the failure to appear at such pre-hearing conference or hearing is due to emergency situation beyond the party's control, and the Department is notified of such situation on or before the scheduled pre-hearing conference or hearing date, the pre-hearing conference or hearing will be continued or postponed pursuant to subsection (b)(7) above. Emergency situations include sudden unavailability of counsel, sudden illness of a party or his representative, or similar situations beyond the party's control.

9) Within 30 days after the close of the hearing record, the Hearing Officer shall issue proposed findings of fact, conclusions of law and recommendations as to the disposition of the case.

10) The Director shall review the administrative record in

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

conjunction with the hearing officer's recommended findings of fact, recommended conclusions of law and recommendations as to the disposition of the case. The Director shall then issue the Department's final administrative decision affirming, vacating or modifying the hearing officer's decision.

c) Upon the issuance of a final administrative decision which finds that a well has been abandoned or is leaking salt water, oil, gas or other deleterious substances into any fresh water formation or onto the surface of the land, the permittee shall, within thirty (30) days, properly plug, replug or repair the well so as to remedy the situation.

d) If the permittee fails to remedy the situation within thirty (30) days from the date of the order, the Department may authorize any person to enter upon the land and plug, replug, or repair the well. The cost of all work completed under this subsection (d) shall be paid from the Plugging and Restoration Fund.

(Source: Added 18 Ill. Reg. _____, effective MAY 13 1994)

Section 240.1620 Plugging Orphan Wells

a) If upon review of Department records a determination is made that no permittee can be located, the well is not located on a valid lease, no bond exists and no fees have been paid in accordance with Section 19.7 of the Act, the well shall be deemed an orphan well.

b) The Department may elect to plug, replug, repair, or restore the well site of any orphan well.

c) If the Department determines that any condition or practice exists which creates an imminent danger to the health or safety of the public, or an imminent danger to the health or safety of the public, the Department or its agent may immediately take any action necessary to temporarily correct the source of oil or salt water intrusion into fresh water zones or onto the surface.

d) The cost of all work completed under this Section shall be paid from the Plugging and Restoration Fund.

(Source: Added at 18 Ill. Reg. _____, effective MAY 13 1994)

Section 240.1630 Emergency Wells; Remedial Work

a) If the Department determines that any condition or practice exists, or that any person or permittee is in violation of any requirement of the Act, this Part or any permit condition, and this practice, condition or violation creates an imminent danger to the health or safety of the public or an imminent danger of significant environmental harm or significant damage to property, the Department shall issue a cessation order pursuant to Section 240.170 of this Part. The Department

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

employee or agent issuing the cessation order may take any action deemed necessary to cause a cessation of operations and abatement of any condition, if a responsible party cannot be readily located.

- b) Upon the expiration of time within which abatement was required under the cessation order, the Department may elect to conduct tests and to take appropriate action to determine and temporarily correct the source of oil or salt water intrusion into fresh water zones or onto the surface.

- c) The cost of all remedial work completed under this Section shall be paid from the Plugging and Restoration Fund.

(Source: Added at 18 Ill. Reg. _____, effective
MAY 1 8 1994)

Section 240.1640 Repayment of Funds

The permittee must reimburse the Plugging and Restoration Fund for all funds obligated from the Plugging and Restoration Fund for repair, plugging or restoration work on the permittee's wells or sites, together with all interest accrued, as provided under Section 19.9 of the Act.

(Source: Added at 18 Ill. Reg. _____, effective
MAY 1 8 1994)

SUBPART Q: ANNUAL WELL FEES

Section 240.1700 Fee Liability

- a) The Department shall assess fees during each calendar year for all permits of record as of July 1. The permittee for each well is responsible for paying these annual fees in the amounts specified in Section 240.1705 below.

- b) The permittee remains liable for the payment of such fees until:
- 1) the well or wells under permit to the permittee are plugged and restored; or
 - 2) the well or wells have been transferred to a new permittee pursuant to Subpart N.

- c) Liability for annual well fees ceases on the date when the well has been plugged and restored or on the effective date stated on the Department's Notification of Transfer Form.

(Source: Added at 18 Ill. Reg. _____, effective
MAY 1 8 1994)

Section 240.1705 Amount of Assessment

Well fees shall be assessed for total permits issued to the permittee as of July 1 of each year as follows:

- a) For 1 permit, \$150;

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

- b) For 2 through 5 permits, \$300;
c) For 6 through 25 permits, \$750;
d) For 26 through 100 permits, \$1500;
e) For more than 100 permits, \$1500 plus \$12.50 for each permit over 100 permits.

(Source: Added at 18 Ill. Reg. _____, effective
MAY 1 8 1994)

Section 240.1710 Annual Permittee Reporting

- a) Permittees are required to submit, on a form prescribed by the Department, an annual verification of address and status.

- b) The form shall contain reports for information on Permittees:

- 1) current address;
 - 2) verification of well ownership;
 - 3) type of business entity and supporting documentation;
 - 4) FEIN; and
 - 5) names and addresses of principals, officers or owners.
- c) Forms shall accompany the Annual Well Fee payment and shall be submitted by September 1 of each year.

(Source: Added at 18 Ill. Reg. _____, effective
MAY 1 8 1994)

Section 240.1720 When Fees are Due

Well fees shall become due on September 1 of each year and shall be deemed delinquent if not paid by November 1 of each year. The Department may cease billing a permittee for annual well fees if such fees have been unpaid for three (3) consecutive years. However, such permittee may not thereafter operate, permit or transfer wells within the State of Illinois without first paying all delinquent fees and associated civil penalties and submitting a bond in accordance with Subpart O.

(Source: Added at 18 Ill. Reg. _____, effective
MAY 1 8 1994)

Section 240.1730 Opportunity to Contest Billing

- a) Permittees may contest the amount of fees or the wells for which the permittee is listed as the permittee of record as of July 1 by submitting a written objection to the billing on or before October 30 of each year.

- b) The objection must be in writing, signed by the permittee, or by an individual authorized to sign for the permittee, and must identify the nature of the objection. The written objection must include a statement of the facts supporting the objection and copies of any relevant assignments or other title documents.

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

(Source: Added at 18 Ill. Reg. _____, effective
MAY 13 1994)

Section 240.1740 Delinquent Permittees

A permittee is responsible for paying annual well fees for all wells permitted with the Department on July 1 of each year, including wells requested to be transferred pursuant to Subpart N but not yet approved for transfer by the Department.

(Source: Added at 18 Ill. Reg. _____, effective
MAY 13 1994)

SUBPART R: REQUIREMENTS IN UNDERGROUND GAS STORAGE FIELDS
AND FOR GAS STORAGE AND OBSERVATION WELLS

Section 240.1800 Applicability

The provisions of this Subpart apply to groundwater protection requirements and operating requirements of Underground Gas Storage Fields; the drilling and conversions of gas storage and observation wells in an Underground Gas Storage Field, and permitting requirements in Underground Gas Storage Fields for oil and gas production and Class II wells covered by Subparts B and C and Test Wells covered by Subpart L.

(Source: Added at 18 Ill. Reg. _____, effective
MAY 13 1994)

Section 240.1805 Definitions

- a) "Gas Storage Well" means a well drilled for input and/or withdrawal of natural gas in a natural gas storage field.
- b) "Observation Well" means a well drilled to monitor subsurface conditions in oil and gas projects or gas storage fields.
- c) "Underground Gas Storage Field" means an area of land which is contained within the lowest closing structural contour for which natural gas can be stored in a substance stratum.
- d) "Gas Storage Operator" means any entity which owns or operates an Underground Gas Storage Field.

(Source: Added at 18 Ill. Reg. _____, effective
MAY 13 1994)

Section 240.1810 Submission of Underground Gas Storage Field Map

Each Gas Storage Operator shall submit to the Department annually a map showing:

- a) The lowest closing contour at which natural gas can be stored.
- b) The area of land which is currently under a valid lease or storage

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

rights agreement, and
c) Any protective boundaries established by a governmental agency. Upon written request to the Department, the above information is considered proprietary information and shall be held confidential.

(Source: Added at 18 Ill. Reg. _____, effective
MAY 13 1994)

Section 240.1820 Permit Requests in a Underground Gas Storage Field

- a) When the proposed location to drill, deepen or convert an oil or gas production or Class II well, as defined in Subparts B and C, or a Test Hole, as defined in Subpart L, occurs within the limits of an Underground Gas Storage Field, or within any protective boundary shown on the Gas Storage Operators map submitted to the Department, a permit shall not be issued until the applicant complies with subsections (a)(1) or (2) below:

1) Enters into an agreement with Gas Storage Operator, outlining safety precautions and well drilling, completion, operating and plugging specifications. The agreement shall be signed by the applicant and the Gas Storage Operator. Agreement shall be submitted with the permit application.

2) Submits a copy of an agreement previously reached with the Gas Storage Operator which outlines safety precautions and well drilling, completion, operating and plugging specifications. The agreement must be in full effect and cover the proposed drilling location.

3) If an agreement cannot be reached after the applicant has exercised due diligence in negotiations, the applicant shall notify the Gas Storage Operator of the proposed location and depth of the well by certified mail, return receipt requested. The certified mail receipt shall be attached to the permit application. If a written objection is not received by the Department within fifteen (15) days after the date of receipt the permit shall be issued. If a written objection to the application is filed with the Department within fifteen (15) days after receipt of the notice of application, the Department shall consider the objection in determining whether the permit should be issued. If the objection raises a question regarding public safety, resource ownership or sufficiency of application, the permit objection shall be set for a public hearing. A hearing shall be set only after all other requirements for issuance of the permit have been fulfilled.

b) Public Hearing

1) Any public hearing held pursuant to this Section shall be a formal hearing conducted by the Department solely for the purpose of resolving the factual or legal question raised by the objection.

2) Notice of the hearing shall be sent by the Department to the

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

applicant and to the objector by mailing such notice by United States mail, postage prepaid, addressed to their last known home or business address.

- 3) A certified court reporter shall record the hearing at the Department's expense.
- 4) A Hearing Officer designated by the Department shall conduct the hearing. The Hearing Officer shall allow all parties at the hearing to present evidence in any form, included by oral testimony or documentary evidence, unless the Hearing Officer determines such evidence is irrelevant, immaterial, unduly repetitious, or of such such a nature that reasonably prudent members of the public or people knowledgeable in the oil and gas field would not rely upon it in the conduct of their affairs.
- 5) The Hearing Officer shall have the power to continue the hearing or to leave the record open for a certain period of time in order to obtain or receive further relevant evidence.
- 6) Within thirty (30) days after the closing of the record or the receipt of the transcript of the hearing, whichever comes later, the Department shall render a decision on the objection.

(Source: Added at 18 Ill. Reg. _____, effective
MAY 13 1994)

Section 240.1830 Application for Permit to Drill or Convert Wells

- a) No person shall drill or convert a well covered by this Subpart without a permit from the Department.
- b) Application for a permit to drill or convert an observation or gas storage well shall be made on forms prescribed by the Department. The application shall be executed under penalties of perjury, and accompanied by the nonrefundable fee of \$100 and the bond required under Subpart O.

(Source: Added at 18 Ill. Reg. _____, effective
MAY 13 1994)

Section 240.1835 Contents of Application for Permit to Drill or Convert to an Observation or Gas Storage Well

The application for a permit shall include:

- a) the name of the well;
- b) the surveyed location and ground elevation of the well (all well locations shall be surveyed by a registered Illinois Land Surveyor or an Illinois Registered Professional Engineer; a survey is not required for a converted or deepened well or a drilled out plugged hole if the original well location was surveyed;
- c) a brief statement of the purpose of the well and a schematic showing the proposed construction of the well;
- d) the necessary information, on a form prescribed by the Department, to

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

- e) show applicant has the right to drill and to operate; a statement as to whether the proposed well location is within the limits of any incorporated city, town, or village (and a certified copy of the official consent of the municipal authorities if the well is within the corporate limits);
- f) the name and address of the drilling contractor, and the type of drilling tools or equipment to be used;
- g) a statement whether the well is located over an active mine, temporarily abandoned mine or within the undeveloped limits of a mine, and whether the coal rights are owned by someone other than the lessor under the oil and gas lease;
- h) the proposed depth of the well and the name of the lowest geologic formation to be penetrated.

(Source: Added at 18 Ill. Reg. _____, effective
MAY 13 1994)

Section 240.1840 Authority of Person Signing Application

- a) All applications for gas storage, observation and service wells shall identify whether the owner of the right to drill and to operate the well is an individual, partnership, corporation or other entity, and shall contain the address and signature of the owner or person authorized to sign for such owner.
- b) If the applicant is an individual, the application shall be signed by the individual. If the applicant is a partnership, the application shall be signed by the general partner. If the applicant is a corporation, the application shall be signed by an officer of the corporation.
- c) In lieu of the signature of the applicant or such authorized persons, the application may be signed by a person having a power of attorney to sign for such owner or authorized person, provided a certified copy of the power of attorney accompanies the application.
- d) If the applicant is a corporation, the charter must authorize the corporation to engage in the permitted activity, and the corporation must be incorporated or authorized to do business in the State of Illinois.

(Source: Added at 18 Ill. Reg. _____, effective
MAY 13 1994)

Section 240.1850 Issuance of Permit

- a) If the applicant satisfies the requirements of the Act and this Part, the Department shall issue a permit.
- b) A permit shall not be issued if a final administrative order of the department is outstanding against the applicant or against a person or permittee who is an officer, director, partner or owner of more than a 5% interest of the applicant.

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

c) Gas storage, observation and other service well permits shall expire one (1) year from the date of issuance unless acted upon by the commencement of drilling or converting operations authorized by the Permit.

d) Gas storage, observation and other service well permits are not transferable prior to the drilling of the well or test hole.

(Source: MAY 13 1994 18 Ill. Reg. _____, effective _____)

Section 240.1855 Well Drilling Completion and Workover Requirements

All wells shall be drilled and all drilling waste disposed of in accordance with Subpart E of this Part.

(Source: Added at 18 Ill. Reg. _____, effective MAY 13 1994)

Section 240.1860 Storage Field Operating Requirements

All applicable facilities in a storage field and general storage field operation shall be conducted in accordance with Subpart H of this Part.

(Source: MAY 13 1994 18 Ill. Reg. _____, effective _____)

Section 240.1865 Liquid Oilfield Waste Disposal

a) All produced water generated as a result of gas storage operations shall be disposed of in accordance with Section 240.930 of this Part.

b) All fluid waste classified as Class II fluids in accordance with Section 240.750(h) of this Part can be disposed of in a Class II well in accordance with subsection (a) above.

c) All other fluid waste not classified as a Class II fluid shall be disposed of in accordance with Illinois Environmental Protection Agency (IEPA) regulations.

(Source: Added at 18 Ill. Reg. _____, effective MAY 13 1994)

Section 240.1870 Plugging of Gas Storage and Observation Wells

a) Gas storage and observation wells shall be plugged when no longer used for the purpose for which they were permitted. At least twenty-four (24) hours prior to commencing plugging operations, the permittee shall notify the District Office for the county in which the well is located.

b) Gas storage and observation wells shall be plugged in accordance with Subpart K.

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

(Source: Added at 18 Ill. Reg. _____, effective MAY 13 1994)

SUBPART S: REQUIREMENTS FOR SERVICE WELLS**Section 240.1900 Applicability**

The provisions of this Subpart apply to wells and drill holes other than oil or gas production wells and Class II UIC wells covered by Subparts B and C, test wells covered by Subpart L, and gas storage observation wells covered by Subpart R. This Subpart applies to wells or drill holes drilled to perform a service or function in relation to oil and gas production or a gas storage project or mining activity coming within this Subpart. A permit is not required under this Subpart in areas covered by a permit issued by the Department under the Surface-Mined Land Conservation and Reclamation Act and the Surface Coal Mining Land Conservation and Reclamation Act.

(Source: Added at 18 Ill. Reg. _____, effective MAY 13 1994)

Section 240.1905 Application for Permit to Drill or Convert to Other Types of Wells or Drill Holes

a) No person shall drill or convert a well or drill a test hole covered by this Subpart without a permit from the Department.

b) Application for a permit to drill or convert a service well shall be made on forms prescribed by the Department. The application shall be executed under penalties of perjury, and accompanied by the non-refundable fee of \$100 and the bond required under Subpart O.

(Source: MAY 13 1994 at 18 Ill. Reg. _____, effective _____)

Section 240.1910 Contents of Application for Permit to Drill or Convert to a Service Well

The application for a permit shall include:

a) The name of the well;

b) The surveyed location and ground elevation of the well (all well locations shall be surveyed by a registered Illinois Land Surveyor or an Illinois Registered Professional Engineer; a survey is not required for a converted or deepened well or a drilled out plugged hole if the original well location was surveyed);

c) A brief statement of the purpose of the well and a schematic showing the proposed construction of the well;

d) The necessary information, on a form prescribed by the Department, to show applicant has the right to drill and to operate;

e) A statement as to whether the proposed well location is within the limits of any incorporated city, town, or village (and a certified

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

copy of the official consent of the municipal authorities if the well is within the corporate limits);

f) The name and address of the drilling contractor, and the type of drilling tools or equipment to be used;

g) A statement whether the well is located over an active mine, temporarily abandoned mine or within the undeveloped limits of a mine, and whether the coal rights are owned by someone other than the lessor under the oil and gas lease;

h) A statement whether the well or drill hole is located within the limits of a Gas Storage Field in accordance with Subpart R of this Part.

i) The proposed depth of the well and the name of the lowest geologic formation to be penetrated.

(Source: Added at 18 Ill. Reg. _____, effective MAY 13 1994)

Section 240.1920 Authority of Person Signing Application

a) All applications shall identify whether the owner of the right to drill and to operate the well is an individual, partnership, corporation or other entity, and shall contain the address and signature of the owner or person authorized to sign for such owner.

b) If the applicant is an individual, the application shall be signed by the individual. If the applicant is a partnership, the application shall be signed by the general partner. If the applicant is a corporation, the application shall be signed by an officer of the corporation.

c) In lieu of the signature of the applicant or such authorized persons, the application may be signed by a person having a power of attorney to sign for such owner or authorized person, provided a certified copy of the power of attorney accompanies the application.

d) The entity or person to whom the permit is issued shall be called the Permittee and shall be responsible for all regulatory requirements relative to the well or drill hole.

e) If the applicant is a corporation, the charter must authorize the corporation to engage in the permitted activity, and the corporation must be incorporated or authorized to do business in the State of Illinois.

(Source: Added at 18 Ill. Reg. _____, effective MAY 13 1994)

Section 240.1930 Issuance of Permit

a) If the applicant satisfies the requirements of the Act and this Part, the Department shall issue a permit.

b) A permit shall not be issued if a final administrative order of the Department is outstanding against the applicant or against a person or

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

permittee who is an officer, director, partner or owner of more than a 5% interest of the applicant.

c) Service well permits shall expire one (1) year from the date of issuance unless acted upon by commencement of drilling or converting operations authorized by the permit.

d) Service well permits are not transferable prior to the drilling of the well or test hole.

(Source: Added at 18 Ill. Reg. _____, effective MAY 13 1994)

Section 240.1940 When Wells Shall Be Plugged and Department Notification

Service wells shall be plugged when no longer used for the purpose for which they were permitted, unless converted in accordance with Section 240.1220. At least 24 hours prior to commencing plugging the permittee shall notify the District Office for the county in which the well is located.

(Source: Added at 18 Ill. Reg. _____, effective MAY 13 1994)

Section 240.1950 Plugging and Restoration Requirements

a) Service wells shall be plugged as follows:

1) If the total depth of the well or hole extends below the base of the freshwater, as determined by the Department, the well or hole shall be plugged from total depth to the top of the bedrock with cement. When the plugging requirements of this subsection would be impractical due to the presence of fractures in the bedrock or other geologic conditions that would prohibit the containment of fluids in the well, the Department may authorize alternative plugging requirements. In determining whether to approve and in selecting alternative plugging requirements, the Department shall consider the total depth of the hole and the depth and quality of the freshwater.

2) If the total depth of the well or test hole does not extend below the base of the freshwater as determined by the Department, the hole shall be plugged as stated above or may be plugged by circulating bentonite slurry from total depth to surface. When the plugging requirements of this Section would be impractical due to the presence of fractures in the bedrock or other geologic conditions that would prohibit the containment of fluids in the well, the permittee shall place a bridge plug above the fractured zone and circulate bentonite slurry from the plug to the surface.

b) At the conclusion of drilling, all drill cuttings shall be buried in drill pits or landspread (with permission of surface owner), and all pits used in drilling shall be filled and restored to support farm machinery, and all drilling debris shall be removed from the site.

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

(Source: Added at 18 Ill. Reg. _____, effective
MAY 13 1994)

Section 240.1960 Converting to Water Well

Service wells may not be converted to a water well that is required to have a permit from the Illinois Department of Public Health.

(Source: Added at 18 Ill. Reg. _____, effective
MAY 13 1994)

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

1) Heading of Part: Construction in Floodways of Rivers, Lakes and Streams

2) Code Citation: 92 Ill. Adm. Code 700

3) Section Numbers: _____ Adopted Action:

700.20
 700.75

Amend
 New Section

4) Statutory Authority: 615 ILCS 5/23, 29a and 30

5) Effective date of rules: MAY 16 1994

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? No

8) Date filed in agency's principal office: May 13, 1994

9) Notice of proposal published in Illinois Register:

January 21, 1994, 18 Ill. Reg. 607

10) Has JCAR issued a Statement of Objections to these rules? No

11) Differences between proposal and final version:

The following changes were made in agreement with JCAR and the Code Division:

In Section 700.20, "Construction," the last statement has been continued to the right margin before being continued on the second page.

The Authority Note and the Main Source Note have been corrected.

In the definition of "Floodway," the word "which" has been changed to "that."

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements letter issued by JCAR? Yes

13) Will this rule replace an Emergency Rule currently in effect? Yes

14) Are there any amendments pending on this Part? No

DEPARTMENT OF TRANSPORTATION
NOTICE OF ADOPTED AMENDMENT(S)

TITLE 92: TRANSPORTATION
CHAPTER I: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER I: WATER RESOURCES

PART 700
CONSTRUCTION IN FLOODWAYS OF RIVERS, LAKES AND STREAMS

Section	Purpose
700.10	Definitions
700.20	Definitions
700.30	Jurisdiction
700.40	Permit Application
700.50	Notice to Interested Parties
700.60	Departmental Standards
700.70	Special Provisions for Bridges and Culverts
700.75	Special Provisions for Levees and Floodwalls
700.80	Statewide Permits
700.90	Denial of Applications
700.100	Violations and Enforcement
700.110	Final Administrative Decision

AUTHORITY: Implementing and authorized by Sections 23, 29a and 30 of the Rivers, Lakes and Streams Act (Ill. Rev. Stat. 1991, ch. 19, pars. 70, 78 and 78.1) [615 ILCS 5/23, 29a and 30].

SOURCE: Adopted at 17 Ill. Reg. 4484, effective March 23, 1993; emergency amendment at 18 Ill. Reg. 790, effective January 14, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. ____, effective

MAY 16 1994

Section 700.20 Definitions

As used in this Part, the words and terms listed shall have the meanings ascribed to them as follows:

"Bridge or Culvert Reconstruction" The total replacement of an existing bridge or culvert, including substructure and superstructure, on the existing road alignment or on an alignment within 100 feet upstream or downstream of the existing alignment in an urban area, or within 500 feet upstream or downstream of the existing alignment in a rural area.

"Construction" The placement, erection, or reconstruction of any building or structure, any filling or excavation, the installation of any utility, or the storage of any materials. Construction includes, but is not limited to,

DEPARTMENT OF TRANSPORTATION
NOTICE OF ADOPTED AMENDMENTS

15) Summary and purpose of rules:

This amendment will clarify how the effects of proposed levee and floodwall raises will be evaluated in those cases where the existing top of the levee or floodwall is at or above the 100-year frequency flood elevation. The Rivers, Lakes and Streams Act (the Act) (Ill. Rev. Stat. 1991, ch. 19, pars. 70, 78 and 78.1) [615 ILCS 5/23, 29a and 30] requires that levee and floodwall raises be regulated, but this Part currently is confusing as to what flood discharge should be used for analysis in that situation. This amendment will eliminate that confusion.

16) Information and questions regarding these adopted rules shall be directed to:

Mr. David R. Boyce, P.E.
Chief, Floodplain Management Section
Department of Transportation
Division of Water Resources
P. O. Box 19484
Springfield, Illinois 62794-9484
217/782-3862

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENT(S)

modifications to an existing building which would increase the building's outside dimensions, channel modifications and enclosures, roads, bridges, culverts, levees, bank protection, walls, fences, and any other man-made activity which would modify the physical features of a floodway with respect to the storage or conveyance of flood waters. Construction does not include normal maintenance and repair activities or farming operations such as disking and plowing.

"Department" The Illinois Department of Transportation.

"Floodway" The channel of a river, lake or stream and that portion of the adjacent land area ~~which~~ that is needed to safely store and convey flood waters. Where floodways have been delineated for regulatory purposes, the mapped lines show the floodway encroachment limits and will be used. For other areas, floodway limits will be estimated, using hydrologic and hydraulic calculations, to preserve adequate conveyance and storage so that stage increases for the 100-year frequency flood would not exceed 0.1 foot.

"Permittee" The person issued a permit pursuant to this Part.

"Rural Areas" All areas of the State not classified as urban areas.

"Urban Areas" Areas of the State where residential, commercial or industrial development currently exists or, based on land use plans or controls, is expected to occur within 10 years of the application date. In determining urban areas, the Department will consider the expertise of local officials, regional and local planning commissions, city and county planners, or private development planners, as well as all available mapping. Areas with only isolated or widely scattered buildings will not be classified as urban areas.

"Worst-case Analysis" The calculation of the maximum increases in flood heights, velocities and damages a project would cause due to conveyance and storage losses considering both the project alone and the combined effects of other existing construction and construction which could reasonably be anticipated to be proposed in the locality. Flood events up to and including the 100-year frequency flood shall be used in this analysis (see Section 700.75 for exception).

(Source: Amended at 18 Ill. Reg. _____, effective MAY 16 1994)

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENT(S)

Section 700.75 Special Provisions for Levees and Floodwalls
The flood discharge which would just overtop a levee or floodwall shall be used for the worst-case analysis.

Source: Added at 18 Ill. Reg. _____, effective MAY 16 1994)

COMPTROLLER

NOTICE OF CORRECTIONS TO PROPOSED RULES

1) Heading of the Part for which proposed rulemaking is being corrected: Illinois Funeral or Burial Bond Act

2) Code Citation: 38 Ill. Adm. Code 610

3) Illinois Register Citation to Notice of Proposed Rules: 18 Ill. Reg. 7168

4) Sections being Corrected:

Section Numbers:

610.10
610.20
610.30
610.40
610.50
610.60
610.70
610.80
610.90
610.Exhibit A
610.Exhibit B
610.Exhibit C
610.Exhibit D

Proposed Actions:

New
New
New
New
New
New
New
New
New
New
New
New
New
New

5) Corrections being made: Section 610.10 through Section 610.80 were published in the May 6 issue of the Illinois Register. While the Comptroller submitted Section 610.90 through Section 610.Exhibit D, those sections were inadvertently not published in the Illinois Register. The full text of the proposed new rules are being reprinted in this issue of the Register.

The full text of the Proposed Rules begin on the next page:

COMPTROLLER

NOTICE OF PROPOSED RULES

TITLE 38: FINANCIAL INSTITUTIONS
CHAPTER V: COMPTROLLER

PART 610

ILLINOIS FUNERAL OR BURIAL FUNDS ACT

Section

610.10 Statutory Authority

610.20 Application

610.30 Definitions

610.40 Classification of Pre-Need Contract by Funding Methods
Requirements for all Pre-Need Contracts

610.50 Requirements for Pre-Need Booklet

610.60 Licensing of Sellers of Pre-Need Contracts Funded by Life Insurance or Tax-Deferred Annuity

610.80 Schedule of Charges for Examinations for Licensee of Pre-Need Contracts Funded by Life Insurance or Tax-Deferred Annuity

610.Exhibit A Model Pre-Need Contract

610.Exhibit B Standard Funeral Trust Agreement for Trust Accounts
Less Than \$500,000

610.Exhibit C Standard Funeral Trust Agreement for Trust Accounts
More Than \$500,000

610.Exhibit D Pre-Need Contract Booklet

AUTHORITY: Implementing Sections 1a-1, 2(d), 2a, 3, 3f, and 4a and authorized by Sections 15 1a-1, 2 and 3 of the Illinois Funeral or Burial Funds Act [225 ILCS 45/1 et seq.]

SOURCE: Adopted at 18 Ill. Reg. _____, effective _____.

NOTE: Statutory Language is indicated by italic type.

Section 610.10 Statutory Authority

a) Form and Review of Pre-Need Contracts.

1) All pre-need contracts must be in writing and no pre-need contract form shall be used without prior filing with the Comptroller. The Comptroller shall review all pre-need contract forms and shall prohibit the use of contract forms which do not meet the requirements of this Act upon written notification to the seller. Any use or attempted use of any oral pre-need contract or any written pre-need contract in a form not filed with the

COMPTROLLER

NOTICE OF PROPOSED RULES

comptroller or in a form which does not meet the requirements of this Act shall be deemed a violation of this Act. Life insurance policies, tax-deferred annuities, endorsements, riders or applications for life insurance or tax-deferred annuities, endorsements, riders or applications for life insurance or tax-deferred annuities are not subject to filing with the Comptroller. The Comptroller may by rule develop a model pre-need contract form which meets the requirements of this Act. [225 ILCS 45/1a-1(d)]

2) The State Comptroller shall by rule develop a booklet which describes the statutory requirements, the different funding mechanisms, and all disclosures required under this Act. After the adoption of these rules, no pre-need contract shall be sold in this State unless the seller distributes to the purchaser prior to the sale a booklet promulgated or approved for use by the State Comptroller. [225 ILCS 45/1a-1(e)]

b) For pre-need contracts funded by life insurance or a tax-deferred annuity, the cost of an examination shall be borne by the licensee if it has received \$10,000 or more in premiums during the preceding calendar year. The fee schedule for such examination shall be established in rules promulgated by the Comptroller. [225 ILCS 45/3]

c) Trust Agreements shall follow the format of the standard Funeral Trust Agreements approved by the Comptroller for guaranteed or non-guaranteed price funeral plans. [225 ILCS 45/2(d)]

Section 610.20 Application

This Part applies to any Seller of pre-need funeral contracts sold in this State.

Section 610.30 Definitions

For the purposes of this Part, the following definitions shall apply:

COMPTROLLER

NOTICE OF PROPOSED RULES

"Act", the Illinois Funeral or Burial Funds Act.

"Beneficiary", the person specified in the pre-need contract upon whose death funeral services or merchandise shall be provided or delivered. [225 ILCS 45/1a]

"Cash Advance Item", any item of service or merchandise described to a purchaser as a "cash advance item" or any item obtained from a third party and paid for by the funeral provider on the purchaser's behalf.

"Funeral Goods", the undelivered goods which are sold or offered for sale directly to the public for use in connection with funeral services.

"Funeral Services", any services which may be used to care for and prepare deceased human bodies for burial, cremation or human bodies for burial, cremation or other final disposition, and arrange, supervise or conduct the funeral ceremony or the final disposition of deceased human bodies.

"Income", amounts earned through investments or interest.

"Licensee", a seller of a pre-need contract who has been licensed by the Comptroller under the Act. [225 ILCS 45/1a]

"Life Insurance", insurance on the lives of persons and every insurance appertaining thereto or connected therewith and granting, purchasing or disposing of annuities.

"Pre-need contract", any agreement or contract, or any series or combination of agreements or contracts, whether funded by trust deposits or life insurance policies or annuities, which has for a purpose the furnishing or performance of funeral services or the furnishing or delivery of any personal property, merchandise, or services of any nature in connection with the final disposition of a dead human body. [225 ILCS 45/1a]

"Provider", a person who is obligated for furnishing or performing funeral services or the furnishing or delivery of any personal property, merchandise or services of any nature in connection with the final disposition of a dead human body. [225 ILCS 45/1a]

COMPTROLLER

NOTICE OF PROPOSED RULES

"Purchaser", the person who originally paid the money under or in connection with a pre-need contract. [225 ILCS 45/1a]

"Sales Proceeds", the entire amount paid to a seller, exclusive of sales taxes paid by the seller, finance charges paid by the purchaser, and credit life, accident or disability insurance premiums, upon any agreement or contract, or series or combination of agreements or contracts, for the purpose of performing funeral services or furnishing personal property, merchandise, or services of any nature in connection with the final disposition of a dead human body, including, but not limited to, the retail price paid for such services and personal property and merchandise. [225 ILCS 45/1a]

"Seller", the person who sells or offers to sell the pre-need contract to a purchaser. [225 ILCS 45/1a]

"Trustee", a person authorized to hold funds under this Act. [225 ILCS 45/1a]

"Trust Funds", all sales proceeds paid to any person, partnership, association or corporation upon any agreement or contract, or any series or combination of agreements or contracts, which has for a purpose the furnishing or performance of funeral services, or the furnishing or delivery of any personal property, merchandise, or services of any nature in connection with the final disposition of a dead human body, including, but not limited to, outer burial containers, urns, combination casket-vault units, caskets and clothing, for future at a time determined by the death of the person or persons whose body or bodies are to be disposed of. [225 ILCS 45/1]

Section 610.40 Classification of Pre-Need Contracts by Funding Methods

a) For the purposes of this Part, pre-need contracts shall be classified as follows:

- 1) Pre-need contracts funded by trust agreements.
- 2) Pre-need contracts funded by life insurance or a tax-deferred annuity.

COMPTROLLER

NOTICE OF PROPOSED RULES

b) Pre-need contracts funded by trust agreements. In addition to complying with the requirements of Section 610.50, pre-need contracts funded by trust agreements must also contain:

- 1) A statement that the purchaser has the right to cancel the pre-need contract prior to need and, 30 days after written demand, have refunded all money held in trust and undistributed interest earned, except 25 percent of the total payments or \$300.00 whichever sum is less.

- 2) A statement that if after the beneficiary's death no goods or services are provided under the pre-need contract, the seller may keep no more than 10 percent of the payments made under the pre-need contract or \$300.00 whichever sum is less. The seller shall refund to the legal heirs of the deceased or as determined by probate action, the remainder of the trust funds.

- 3) A provision that the trustee must obtain written approval from the purchaser before investing trust funds in life insurance policies or tax-deferred annuities.

- 4) A notice to the purchaser that the cash surrender value of the life insurance policy or tax-deferred annuity may be less than the amount provided by the refund provisions of the trust account.

c) Pre-need contracts funded by life insurance or tax-deferred annuity. In addition to complying with the requirements of Section 610.50, pre-need contracts funded by life insurance or a tax-deferred annuity must also contain:

- 1) A provision that the seller or provider cannot be named as owner or beneficiary of the life insurance policy or tax-deferred annuity.

- 2) A statement that the purchaser has the right to cancel the pre-need contract prior to need and, 30 days after written demand, receive a refund of the cash surrender value of the life insurance policy or tax-deferred annuity.

COMPTROLLER

NOTICE OF PROPOSED RULES

- 3) A statement that if after the beneficiary's death no goods or services are provided under the pre-need contract, the seller may keep no more than 10 percent of the payments made under the pre-need contract or \$300.00 whichever sum is less. The seller shall refund to the legal heirs of the deceased or as determined by probate action, the remainder of the insurance or annuity proceeds.
- 4) A statement that the pre-need contract must be revocable, except for a guaranteed price contract used for purposes of eligibility for Supplemental Security Income benefits (SSI), Medicaid or other public assistance. The assignment provision in the pre-need contract must contain the following on revocability in 12 point bold type:

THIS ASSIGNMENT MAY BE REVOKED BY THE ASSIGNOR OR ASSIGNOR'S SUCCESSOR OR, IF THE ASSIGNOR IS ALSO THE INSURED AND DECEASED, BY THE REPRESENTATIVE OF THE INSURED'S ESTATE BEFORE THE RENDERING OF THE CEMETERY SERVICES OR GOODS OR FUNERAL SERVICES OR GOODS. IF THE ASSIGNMENT IS REVOKED, THE DEATH BENEFIT UNDER THE LIFE INSURANCE POLICY OR ANNUITY CONTRACT SHALL BE PAID IN ACCORDANCE WITH THE BENEFICIARY DESIGNATION UNDER THE INSURANCE POLICY OR ANNUITY CONTRACT. [225 ILCS 45/2a(d)]

Section 610.50 Requirements for all Pre-Need Contracts

- a) Pre-need contracts required to be filed and approved by the Comptroller must meet the criteria set forth in this Section.
- b) Required Contents:
 - 1) Seller's name and address.
 - 2) Name of purchaser and beneficiary.
 - 3) Name and address of provider's principal office. If provider is not named, a provision for provider to be selected by purchaser or the purchaser's survivor or legal representative at a later date.
 - 4) Complete description and price of funeral merchandise and services.

COMPTROLLER

NOTICE OF PROPOSED RULES

- 5) Disclosure of whether the contract is guaranteed or non-guaranteed as to the price.
 - A) Each guaranteed price contract shall contain the following statement in 12 point bold type: **THIS CONTRACT GUARANTEES THE BENEFICIARY THE SPECIFIC GOODS AND SERVICES CONTRACTED FOR. NO ADDITIONAL CHARGES MAY BE REQUIRED FOR DESIGNATED GOODS AND SERVICES. ADDITIONAL CHARGES MAY BE INCURRED FOR UNEXPECTED EXPENSES INCLUDING, BUT NOT LIMITED TO, CASH ADVANCES, SHIPPING OF REMAINS FROM A DISTANT PLACE, OR DESIGNATED HONORARIA ORDERED OR DIRECTED BY SURVIVORS. [225 ILCS 45/1a-1(a)(3)(A)]**
 - B) Each non-guaranteed price contract shall contain the following statement in 12 point bold type:

THIS CONTRACT DOES NOT GUARANTEE THE PRICE THE BENEFICIARY WILL PAY FOR ANY SPECIFIC GOODS OR SERVICES. ANY FUNDS PAID UNDER THIS CONTRACT ARE ONLY A DEPOSIT TO BE APPLIED TOWARD THE FINAL PRICE OF THE GOODS OR SERVICES CONTRACTED FOR. ADDITIONAL CHARGES MAY BE REQUIRED. [225 ILCS 45/1a-1(a)(3)(B)]

- 6) Where the particular goods and services specified are unavailable at the time of delivery, the contract shall state that supplies and services similar in style and equal quality will be provided.
- 7) Any penalties or restrictions in performing the contract must be fully stated.
- 8) The method of funding the pre-need contract must be stated along with the following information:
 - A) The relationship among the funding entity, the provider, if selected, and the seller.
 - B) The impact on the pre-need contract if the following occurs:
 - i) Changes in the funding arrangements or use of funds.

COMPTROLLER

NOTICE OF PROPOSED RULES

- ii) Penalties to be incurred if the purchaser fails to make payments.
- iii) Penalties to be incurred or moneys or refunds to be received as a result of the cancellation.
- iv) A difference between the proceeds of the funding arrangement and the amount actually needed for the funeral at-need.

9) The method for changing or selecting the designation of the provider must be fully described.

10) Every pre need-contract is subject to the Federal Trade Commission Rule (16 CFR 429) concerning the Cooling-Off Period for Door-to Door Sales. The FTC Rule provides that with any door-to-door sale, the seller must furnish the purchaser a completed receipt or copy of any contract pertaining to the sale at the time the contract is signed. The FTC Rule shall apply to all sales of pre-need contracts irrespective of the location where the pre-need contract is sold. The seller must comply with the following terms:

- A) A completed receipt or copy of the pre-need contract at the time of signing must be furnished to the purchaser.
- B) The same language must be used in both the oral sales presentation and the written contract to the purchaser.
- C) Notice of purchaser's right to cancel within 3 days of signing pre-need contract. The notice must be as follows:
 - i) Located close to the signature line.
 - ii) Printed in 12 point bold type.
 - iii) State that "YOU, THE BUYER, MAY CANCEL THIS TRANSACTION AT ANY TIME PRIOR TO MIDNIGHT OF THE THIRD BUSINESS DAY AFTER THE DATE OF THIS TRANSACTION." (See

COMPTROLLER

NOTICE OF PROPOSED RULES

Notice of Cancellation Section 610. Exhibit A)

D) All monies refunded without penalty within 10 days of cancellation.

c) A sample of the pre-need contract referenced in this subsection is provided in Section 610. Exhibit A to this Part. Any pre-need contract substantially similar to that provided in Exhibit A will be accepted by the Comptroller.

Section 610.60 Requirements for Pre-Need Booklet

a) No pre-need contract may be sold in this State unless it is accompanied by a booklet that contains the following requirements:

- 1) Requirements for pre-need contracts as set forth in Section 1a-1 of this Act.
- 2) All disclosures in accordance with Sections 1a-1, 1b, 2a, 4, and 4a of this Act.
- 3) The funding mechanism as set forth in Subsection (6)(a) of Section 1a-1 of this Act.
- 4) Any other statutory requirements under this Act.

b) A sample pre-need contract booklet referenced in this subsection is provided in Section 610. Exhibit D. Any booklet substantially similar to that provided in Section 640. Exhibit D will be accepted by the Comptroller.

Section 610.70 Licensing of Sellers of Pre-Need Contracts Funded by Life Insurance or Tax-Deferred Annuity

a) Any seller of pre-need contract which is funded by life insurance or a tax-deferred annuity shall obtain an individual license unless the seller is an employee of a company. An insurance producer, annuity seller, or any individual who serves in that capacity shall not be considered an employee unless the employment relationship indicates otherwise for purposes of this Part.

COMPTROLLER

NOTICE OF PROPOSED RULES

- b) The annual report required to be filed by the licensee with the Office of the Comptroller may be filed by the company with which the insurance producer, annuity seller or any individual acting in that capacity is affiliated so long as all books, records and other information as required under this Act are provided. The licensee shall remain responsible for the timely filing of the annual report and shall acknowledge in writing that the annual report is true and accurate.

Section 610.80 Schedule of Charges for Examinations for Licensee of Pre-Need Contracts Funded by Life Insurance or Tax-Deferred Annuity.

- a) The charge made by the Comptroller for an examination shall be based upon the total amount of the premiums received from the sale of pre-need contracts by the licensee during the preceding calendar year for which the report is required under the Act.
- b) The following fee schedule applies to the licensee for the cost of an examination of books and records for pre-need contracts funded by life insurance or a tax-deferred annuity:

Less than \$10,000.....	no charge
\$ 10,000 or more but less than \$ 50,000.....	\$10
\$ 50,000 or more but less than \$100,000.....	\$40
\$100,000 or more but less than \$250,000.....	\$80
\$250,000 or more.....	\$100

COMPTROLLER

NOTICE OF PROPOSED RULES

Section 610. Exhibit A Model Pre-Need Contract

This Pre-need Contract is made and entered by and between _____, of _____, (Street Address)
City of _____, County of _____,
State of _____, hereinafter referred to as
"Purchaser" and _____, of _____, (Seller)
_____, City of _____,
(Street Address)
County of _____, State of _____,
hereinafter referred to as "Seller."

PROVIDER OF SERVICES: The Provider of services under this contract is _____, (Provider)
of _____, (Address of Provider's Principal Office)

If the Seller is not the Provider, Provider has a binding agreement with the Seller as follows: (State the nature of the Agreement or attach a copy of the Agreement). If the identity of the Provider is changed, Seller agrees to obtain Purchaser and Beneficiary's written approval within 30 days after the change. If the Provider is not named in this contract, then the Purchaser, or the Purchaser's survivor or legal representative shall select the Provider at a later date.

FUNERAL OR BURIAL SERVICES: The Seller agrees to provide the following merchandise and/or services at the stated prices:

PRICE OF CONTRACT: The Purchaser will pay _____,
which is the total amount of this contract.

COMPTROLLER

NOTICE OF PROPOSED RULES

TYPE OF CONTRACT: (Indicate all applicable statements)

Guaranteed Price Contract.

THIS CONTRACT GUARANTEES THE BENEFICIARY THE SPECIFIC GOODS AND SERVICES CONTRACTED FOR. NO ADDITIONAL CHARGES MAY BE REQUIRED FOR DESIGNATED GOODS AND SERVICES. ADDITIONAL CHARGES MAY BE INCURRED FOR UNEXPECTED EXPENSES INCLUDING, BUT NOT LIMITED TO, CASH ADVANCES, SHIPPING OF REMAINS FROM A DISTANT PLACE, OR DESIGNATED HONORARIA ORDERED OR DIRECTED BY SURVIVORS. [225 ILCS 45/1a-1(a)(3)(A)]

Non-guaranteed Price Contract.

THIS CONTRACT DOES NOT GUARANTEE THE PRICE THE BENEFICIARY WILL PAY FOR ANY SPECIFIC GOODS OR SERVICES. ANY FUNDS PAID UNDER THIS CONTRACT ARE ONLY A DEPOSIT TO BE APPLIED TOWARD THE FINAL PRICE OF THE GOODS OR SERVICES CONTRACTED FOR. ADDITIONAL CHARGES MAY BE REQUIRED. [225 ILCS 45/1a-1(a)(3)(B)]

Revocable Contract.

Irrevocable Contract.

Assignment Provision.

THIS ASSIGNMENT MAY BE REVOKED BY THE ASSIGNOR OR ASSIGNOR'S SUCCESSOR OR, IF THE ASSIGNOR IS ALSO THE INSURED AND DECEASED, BY THE REPRESENTATIVE OF THE INSURED'S ESTATE BEFORE THE RENDERING OF THE CEMETERY SERVICES OR GOODS OR FUNERAL SERVICES OR GOODS. IF THE ASSIGNMENT IS REVOKED, THE DEATH BENEFIT UNDER THE LIFE INSURANCE POLICY OR ANNUITY CONTRACT SHALL BE PAID IN ACCORDANCE WITH THE BENEFICIARY DESIGNATION UNDER THE INSURANCE POLICY OR ANNUITY CONTRACT. [225 ILCS 45/2a(d)] (May not be applicable if a trust, life insurance or tax-deferred annuity is used to fund a guaranteed price contract for purposes of eligibility for Supplemental Security Income benefits (SSI), Medicaid or other public assistance.)

METHOD OF FUNDING: The Purchaser agrees that the method of funding the Pre-need contract was made solely by Purchaser and of his/her own free will. The Purchaser has chosen the following funding method:

COMPTROLLER

NOTICE OF PROPOSED RULES

- A. TRUST ACCOUNT.
- B. LIFE INSURANCE.
- C. TAX-DEFERRED ANNUITY.

PENALTIES OR RESTRICTIONS: The (Seller/Provider) has the following penalties or restrictions on the provisions of this Contract:

- (Insert Geographical Restrictions);
- (Insert explanation of the Provider's Inability to perform the requests of the Buyer);
- (Insert information if particular goods and services are unavailable at the time of need);
- (Insert the impact of Purchaser's failure to make payments);
- (Insert the impact on changes in the funding method);
- (Insert the impact of penalties on cancellation);
- (Insert information on what occurs if excess funds over the contract price remains); and
- (Insert a description of any other circumstance which apply).

In witness whereof, the Purchaser and Seller have executed this Contract, intending its terms to be in accordance with the Illinois Funeral or Burial Funds Act and any regulations implementing the Act.

You the buyer, may cancel this transaction at any time prior to midnight of the third business day after the date of this transaction. See the attached notice of cancellation form for an explanation of this right.

Purchaser

Seller

Date

Date

COMPTROLLER

NOTICE OF PROPOSED RULES

This Contract is intended to comply with the requirements of pre-need contracts pursuant to the Illinois Funeral or Burial Funds Act, 225 ILCS 45/1 et seq. Other provisions of State or federal law, regulations, or statutes may also be applicable. The Comptroller's Office assumes no liability for any claim that may arise from the use of this Contract.

ATTACHED NOTICE OF CANCELLATION

You may cancel this transaction, without any penalty or obligation, within three business days from the above date. If you cancel, any payments made by you under the contract or sale and any negotiable instrument executed by you will be returned within 10 business days following receipt by the seller of your cancellation notice and any security undistributed interest arising out of the transaction will be canceled.

To cancel this transaction, mail or deliver a signed and dated copy of this transaction notice or any other written notice, or send a telegram to _____ (address) not later than midnight of _____ (date).

I hereby cancel this transaction.

Date Buyer's Signature

COMPTROLLER

NOTICE OF PROPOSED RULES

Section 610. Exhibit B Standard Funeral Trust Agreement for Trust Accounts Less Than \$500,000

FUNERAL TRUST AGREEMENT
OFFICE OF THE COMPTROLLER
(TRUST ACCOUNTS LESS THAN \$500,000)

This Agreement is made between _____

_____ (Trustee/Funeral Home)
of _____ (Address), City of _____, County of _____,
of _____, State of _____, and
_____ (Purchaser) of _____ (Address), City of _____,
of _____, State of _____, for the use and benefit of _____, for the use and benefit of _____ (Beneficiary)
of _____ (Address), City of _____, State of _____, County of _____, for the following purposes and on the following terms and conditions:

1. The Funeral Home at the time of the beneficiary's death shall provide funeral or burial services as provided for in the pre-need contract as follows:

2. To fund this pre-need contract, Purchaser agrees to pay to Trustee \$ _____, as follows:

3. All trust deposits shall be made within 30 days of receipt except that an initial amount equal to 5% of the purchase price of the service and merchandise or 15% of the purchase price of outer burial containers may be retained by the Trustee. Additionally, if the sales proceeds to be deposited into a trust are received pursuant to a cash sale or a retail installment contract, the Funeral Home may retain the aforementioned initial percentages and any finance charge paid by the Purchaser. After final payment by the Purchaser, the Funeral Home shall make additional deposit so that at least 95% of sale price of all services or merchandise and 85% of the purchase price of the outer burial containers is deposited in trust. The Trustee may retain no more than 25% of the annual earnings of the funds held in trust for administrative expenses.

COMPTROLLER

NOTICE OF PROPOSED RULES

4. All trust funds must be deposited in withdrawable accounts of State chartered or federally chartered savings and loan associations insured by the Federal Deposit Insurance Corporation; (2) deposits or certificates of deposits in state or federal banks insured by the Federal Deposit Insurance Corporation; or (3) share accounts or share certificate accounts in a State or federal credit union, the accounts of which are insured as required by the Illinois Credit Union Act or the Federal Credit Union Act, as applicable.

5. The Trustee shall keep records of Purchaser's account and upon request provide Purchaser with a statement of the balance and transactions. If determinable, the Trustee shall report to the purchaser the amount to be taxed on an annual basis.

6. This Trust Agreement and any amendments thereto shall be filed with the Comptroller.

7. Upon the death of the beneficiary, Trustee shall pay to Funeral Home that amount in Purchaser's account less the prior agreed upon administrative fees.

8. The Purchaser has the right to withdraw the money paid to a Funeral Home prior to death, and 30 days after written demand the Funeral Home is obligated to refund the money held in trust and all undistributed interest earned, except a forfeiture fee of 25% of the total payments made or \$300.00 whichever sum is less.

9. Trustee shall not invest trust funds in life insurance policies or tax-deferred annuities unless the Purchaser approves in writing of the investment. The Trustee shall give notices to the purchaser that the cash surrender value of the life insurance policy or tax-deferred annuity may be less than the amount provided for by the refund provisions of the trust account.

10. This Agreement is binding on the heirs, administrators, executors, successors and assigns of the parties and is subject to the Illinois Funeral or Burial Funds Act.

PURCHASER _____ TRUSTEE _____

DATE _____ DATE _____

COMPTROLLER

NOTICE OF PROPOSED RULES

Section 610. Exhibit C Standard Funeral Trust Agreement for Trust Accounts More Than \$500,000

FUNERAL TRUST AGREEMENT
OFFICE OF THE COMPTROLLER
(TRUST ACCOUNTS OF \$500,000 OR MORE)

This Agreement is made between _____

of _____, (Trustee)
(Address), City of _____, County
of _____, State of _____, and
of _____, (Funeral Home)
(Address), City of _____, County of
of _____, (Purchaser)
(Address), City of _____, State of _____, and benefit
of _____, (Beneficiary) of _____, (Address), City
of _____, State of _____, County of _____, for
the following purposes and on the following terms and conditions:

1. The Funeral Home at the time of the beneficiary's death shall provide funeral or burial services as provided in the pre-need contract as follows:

2. To fund the pre-need contract, Purchaser agrees to pay to Trustee or Funeral Home _____ as follows: _____.

3. All trust deposits shall be made within 30 days of receipt except that an initial amount equal to 5% of the purchase price of the service and merchandise or 15% of the purchase price of outer burial containers may be retained by the Funeral Home for administrative services and expenses. After final payment by the purchaser, the Funeral Home shall make additional deposit so that at least 95% of sale price of all services or merchandise and 85% of the purchase price of the outer burial containers is deposited in trust. The Trustee may retain no more than 25% of the annual earnings of the funds held in trust for administrative expenses.

4. All trust accounts shall be established in a bank, savings and loan association, savings bank, or credit union authorized to do

COMPTROLLER

NOTICE OF PROPOSED RULES

business in Illinois in which the trust accounts are insured by an agency of the federal government or in a trust company authorized to do business in Illinois. If the trust funds are deposited in a financial institution located in an adjoining state the financial institution must be within 50 miles of the Illinois border, its accounts shall be federally insured and has registered for purposes of service of process with the Illinois Secretary of State.

5. The Trustee shall keep records of purchaser's account and upon request provide purchaser with a statement of the balance and transactions. If determinable, the Trustee shall report to the purchaser the amount to be taxed on an annual basis.

6. This Trust Agreement and any amendments thereto shall be filed with the Comptroller.

7. Upon the death of the beneficiary, Trustee shall pay to Funeral Home that amount in Purchaser's account less the prior agreed upon administrative fees.

8. The Purchaser has the right to withdraw the money paid to a Funeral Home prior to death and the Funeral Home is obligated to compel the Trustee to refund the money held in trust and all undistributed interest earned, within 30 days after written demand by the Purchaser, except a forfeiture fee of 25 percent of the total payments made or \$300.00 whichever sum is less.

9. Trustee shall not invest trust funds in life insurance policies or tax-deferred annuities unless the purchaser approves in writing the investment. The Trustee shall give notices to the Purchaser that the cash surrender value of the life insurance policy or tax-deferred annuity may be less than the amount provided for by the refund provisions of the trust account.

10. This Agreement is binding on the heirs, administrators, executors, successors and assigns of the parties and is subject to the Illinois Funeral or Burial Funds Act.

PURCHASER	DATE
FUNERAL HOME PROVIDER	DATE
TRUSTEE	DATE

COMPTROLLER

NOTICE OF PROPOSED RULES

Section 610. Exhibit D Pre-Need Contract Booklet

A PURCHASER'S GUIDE TO
PRE-NEED FUNERAL PLANNING

This booklet has been prepared by the Illinois Office of the Comptroller and is intended to help make purchasers more aware of the legal requirements, funding mechanisms and disclosures that must be made prior to the sale of pre-paid funeral or burial merchandise and services. The sale of such merchandise and services, and the requirements of pre-need contracts are regulated by the Illinois Funeral or Burial Funds Act, 225 ILCS 45/1 et seq., (the "Act"). In 1993, the Act was changed by Public Act 88-477 to offer more protection for consumers.

There are numerous advantages to making pre-need funeral arrangements, and it is becoming more common for both individuals and families to plan ahead. This booklet has been developed to help purchasers make an informed choice when making pre-need funeral arrangements. Generally, pre-need funeral planning consists of a two-step process: choosing merchandise and services, and funding the cost of the pre-arranged funeral. This booklet endorses no specific company, product, funding arrangement or funeral plan.

I. DEFINITIONS OF COMMON TERMS

Throughout this booklet, certain terms are used continuously that have a specific legal meaning under the Act. To assist the consumer with obtaining a clear and complete understanding of the contents of this booklet, the following terms have been defined consistent with their meaning under the Act:

- a) **Beneficiary** the person specified in the pre-need contract upon whose death funeral services or merchandise shall be provided or delivered. [225 ILCS 45/1a]
- b) **Cash Advance Item** any item of service or merchandise described to a purchaser as a "cash advance item" or any item obtained from a third party and paid for by the funeral provider on the purchaser's behalf.

COMPTROLLER

NOTICE OF PROPOSED RULES

c) Funeral Goods the undelivered goods which are sold or offered for sale directly to the public for use in connection with funeral services.

d) Funeral Services any services which may be used to care for and prepare deceased human bodies for burial, cremation or human bodies for burial, cremation or other final disposition, and arrange, supervise or conduct the funeral ceremony or the final disposition of deceased human bodies.

e) Licensee a seller of a pre-need contract who has been licensed by the Comptroller under the Act. [225 ILCS 45/1a]

f) Pre-need Contract any agreement which has for a purpose the furnishing or delivery of any personal property, merchandise, or services of any nature in connection with the final disposition of a dead body. [225 ILCS 45/1a]

g) Provider a person who is obligated for furnishing or performing funeral services or the furnishing or delivery of any personal property, merchandise or services of any nature in connection with the final disposition of a dead human body. [225 ILCS 45/1a]

h) Purchaser the person who originally paid the money under or in connection with a pre-need contract. [225 ILCS 45/1a]

i) Seller the person who sells or offers to sell the pre-need contract to a purchaser. [225 ILCS 45/1a]

j) Trustee a person authorized to hold funds under this Act. [225 ILCS 45/1a]

II. WHAT ARE THE REQUIREMENTS AND PURPOSE OF THE DISCLOSURES?

Certain Disclosures are required to be made by the seller to all purchasers of pre-paid funeral and burial merchandise and

COMPTROLLER

NOTICE OF PROPOSED RULES

services prior to the sale of the merchandise and services. The purpose of these Disclosure provisions is to inform the purchaser of the legal requirements of a pre-need contract and the various funding mechanisms that are permitted under the Act in order to help the purchaser make an informed decision regarding the purchase of pre-need burial merchandise and services. The Disclosures may be incorporated into the pre-need contract, or may be provided in a separate Disclosure Statement.

III. WHAT IS A PRE-NEED CONTRACT AND WHAT FACTS MUST IT CONTAIN?

A pre-need contract is a legal agreement entered into between a purchaser and a pre-need funeral seller. The pre-need contract sets out, in writing, the types of funeral merchandise and services that are being purchased. The Act requires a seller to include certain minimum information and disclosures in a pre-need contract. The following is a brief summary of those essential requirements:

1. Must be clearly written;

2. Must clearly state name and address of the purchaser and seller and, the names of the beneficiary and provider. If the seller is not the provider and the provider is not named, then the pre-need contract must state that the provider will be selected by the purchaser, or the purchaser's survivor or legal representative at a later date;

3. Must contain a complete description of the funeral merchandise and services to be provided and the price;

4. Must state whether the contract price is guaranteed or not guaranteed;

a) Each guaranteed price contract shall contain the following statement:

"THIS CONTRACT GUARANTEES THE BENEFICIARY THE SPECIFIC GOODS AND SERVICES CONTRACTED FOR. NO ADDITIONAL CHARGES MAY BE REQUIRED FOR DESIGNATED GOODS AND SERVICES. ADDITIONAL CHARGES MAY BE INCURRED FOR UNEXPECTED EXPENSES INCLUDING, BUT NOT LIMITED TO, CASH ADVANCES, SHIPPING OF REMAINS FROM A DISTANT PLACE, OR DESIGNATED HONORARIA ORDERED OR DIRECTED BY SURVIVORS." [225 ILCS 45/1a]

COMPTROLLER

NOTICE OF PROPOSED RULES

- b) Each non-guaranteed price contract shall contain the following statement:

"THIS CONTRACT DOES NOT GUARANTEE THE BENEFICIARY ANY SPECIFIC GOODS OR SERVICES. ANY FUNDS PAID UNDER THIS CONTRACT ARE ONLY A DEPOSIT TO BE APPLIED TOWARD THE FINAL PRICE OF THE GOODS OR SERVICES CONTRACTED FOR. ADDITIONAL CHARGES MAY BE REQUIRED." [225 ILCS 45/1a]

5. Must provide that if the chosen supplies and services are not available at the time of delivery, that similar supplies and services equal in quality will be provided;
6. Must disclose any penalties or restrictions that apply to the pre-need contract;
7. Must disclose how the pre-need contract will be funded;
 - a) whether the pre-need contract is funded by a trust, life insurance or tax-deferred annuity;
 - b) the nature of the relationship among the entity funding the pre-need contract, the provider, if selected, and the seller;
 - c) the impact on the pre-need contract of i) any changes in funding method; ii) penalties for failure to make payments; iii) penalties resulting from cancellation of the pre-need contract; iv) all information on what occurs if there is a difference between proceeds of the funding arrangement and the amount actually needed to pay for the funeral at-need;
 - d) the method for changing or selecting the designation of the provider.

IV. WHAT IS THE DIFFERENCE BETWEEN A GUARANTEED PRICE PRE-NEED CONTRACT AND A NON-GUARANTEED PRICE PRE-NEED CONTRACT?

A guaranteed price pre-need contract provides that at the time the merchandise and services are provided that no additional charges may be required for the designated goods and services. Additional charges may only be incurred for unexpected expenses. For example, an unexpected expense would be a cash advance item which may include the pallbearers, flowers, musician or the payment of an honorarium as directed by the survivors.

COMPTROLLER

NOTICE OF PROPOSED RULES

A non-guaranteed pre-need contract generally provides that if at the time the merchandise and services are to be provided, they cost more than what is due under the contract, the estate or survivors will have to pay the additional costs. However, if the funds provided under the contract are in excess of the current price of the merchandise and services, the excess is refunded to the estate or survivors.

V. WHAT IS THE DIFFERENCE BETWEEN A REVOCABLE AND A IRREVOCABLE PRE-NEED CONTRACT?

A revocable pre-need contract may be cancelled at anytime after it is entered into. For amounts that have been placed in trust, upon cancellation, the purchaser is entitled to the amount in trust plus any undistributed interest earned. From this amount, the seller may retain the lesser of 25% paid or \$300.00.

An irrevocable pre-need contract cannot be cancelled. This type of pre-need contract is usually established to insure that the beneficiary can qualify for public benefits. This does not mean that the purchaser cannot change the funeral provider if he/she wishes to do so.

VI. WHAT IF THE SUPPLIES AND SERVICES ARE NOT AVAILABLE AT THE TIME OF DELIVERY?

If this circumstance occurs, the provider must provide supplies and services similar or equal in quality to those originally selected by the purchaser.

VII. CAN THE PURCHASER CANCEL A PRE-NEED CONTRACT WITHOUT INCURRING ANY PENALTY?

Yes, but only for a limited period of time. All pre-need contracts are subject to the Federal Trade Commission Rule (FTC Rule) concerning the Cooling-Off Period for Door-to-Door Sales. (16 CFR, Part 429) The FTC Rule provides that with any door-to-door sale the seller must furnish the purchaser a completed receipt or copy of any contract pertaining to the sale at the time the contract is signed. The contract must be in the same language used during the oral sale presentation, and it must contain notice of the purchaser's right to cancel the contract within three (3) business days from the time the purchaser signs the pre-need contract. This notice must be close to the signature line, printed in bold face type, and must read as follows:

"YOU, THE BUYER, MAY CANCEL THIS TRANSACTION AT ANY TIME PRIOR TO

COMPTROLLER

NOTICE OF PROPOSED RULES

MIDNIGHT OF THE THIRD BUSINESS DAY AFTER THE DATE OF THIS TRANSACTION. SEE THE ATTACHED NOTICE OF CANCELLATION FORM FOR AN EXPLANATION OF THIS RIGHT."

The three-day period does not include Sundays and certain holidays. The Rule further provides that the purchaser may cancel the contract without penalty and have any money refunded within ten (10) days.

VIII. WHAT ARE THE DIFFERENT METHODS A PURCHASER MAY USE TO FUND THE PRE-NEED CONTRACT?

The choice of how to pay for the pre-need contract, is solely the purchaser's. The Act permits the purchaser to select one of three methods to fund the pre-need contract by paying money into a trust account or by purchasing a life insurance policy or a tax-deferred annuity.

A. Payment of Money into a Trust Account. If the purchaser elects to pay the seller money for the pre-need merchandise or services all of the payments and all undistributed interest earned thereon are required to be held in trust in the name of the purchaser, except for the following amounts:

- i) 15% of the payments relating to the purchase of the outer burial container may be retained by the seller; or
- ii) 5% of the payments for all other services and merchandise may be retained by the seller; and
- iii) No more than 25% of the undistributed interest earned on the trust fund may be held by the trustee as an administrative fee.

The Act also provides that a purchaser has a right to withdraw the money paid to a seller prior to death, and the seller is obligated to refund the money held in trust, and all undistributed interest earned, except a forfeiture fee of 25 percent of the total payments made or \$300.00 whichever sum is less. In cases where after the beneficiary's death no goods or services are provided under the pre-need contract, the seller may keep no more than 10 percent of the payments made under the pre-need contract or \$300.00 whichever sum is less. The seller shall refund to the legal heirs of the deceased or as determined by probate action, the remainder of the trust funds.

COMPTROLLER

NOTICE OF PROPOSED RULES

B. Life Insurance and Tax-Deferred Annuity Contract. Under these funding methods, the purchaser pays the premium required under the terms of the life insurance policy or tax-deferred annuity contract. Generally, money paid under the tax-deferred annuity contract is invested and earns interest which increases the amount of money available for the funeral and burial merchandise and services purchased under the pre-need contract. Neither the seller nor the provider may be named as the owner or beneficiary of the life insurance policy or tax-deferred annuity contract.

An assignment of the death benefit of the life insurance policy or tax-deferred annuity will normally be made to the seller, and the proceeds will then be used to pay for the merchandise and services actually provided. An assignment of the proceeds of the life insurance policy or tax-deferred annuity can be revoked unless the pre-need contract is a guaranteed price contract or the purchaser is seeking public assistance such as Medicaid or Supplemental Security Income benefits (SSI).

In the event the purchaser cancels the pre-need contract, this would not automatically cancel the life insurance policy or tax-deferred annuity. However, if the purchaser did cancel the life insurance policy, the purchaser would be entitled to receive the cash surrender value of the life insurance policy. It is important that the purchaser investigate the amount of cash surrender value of the life insurance policy to determine the loss of paid premiums the purchaser would sustain upon cancellation.

In cases where after the beneficiary's death no goods or services are provided under the pre-need contract, the seller may keep no more than 10 percent of the payments made under the pre-need contract or \$300.00 whichever sum is less. The seller shall refund to the legal heirs of the deceased or as determined by probate action, the remainder of the insurance or annuity proceeds.

IX. IF I SELECT TO PAY FOR MY PRE-NEED CONTRACT BY PAYMENT OF MONEY INTO A TRUST ACCOUNT, ARE THERE TAX CONSEQUENCES?

Depending on the type of trust, under the current IRS rule, the trust account may be taxable on a current basis to the purchaser or designated beneficiary if different from the purchaser. If taxable and determinable, the trustee will report to the purchaser the amount to be taxed on an annual basis.

COMPTROLLER

NOTICE OF PROPOSED RULES

X. ARE THERE ANY LIMITATIONS ON THE WITHDRAWAL OF PRE-NEED FUNDS BY THE SELLER?

Yes, there are limitations that have been placed upon the withdrawal of pre-need funds. Amounts that have been deposited into trust accounts, may not be withdrawn until the death of the person for whose funeral the funds were paid. Likewise, life insurance policies or tax-deferred annuities cannot be surrendered until the death of the person whose funeral the policies or tax-deferred annuities were purchased. This limitation does not apply to the person who originally paid the money under the pre-need contract or to the owner of the policy purchased under the pre-need contract.

XI. ARE THERE ANY RESTRICTIONS ON HOW FUNDS PAID UNDER A PRE-NEED CONTRACT ARE INVESTED?

Yes, if the trustee chooses to invest trust funds in life insurance policies or tax-deferred annuities certain rollover requirements must be satisfied. The company issuing the life insurance policies or tax-deferred annuities must be licensed by the Department of Insurance and the State of Illinois. Prior to the investment, the purchaser of the pre-need contract must approve in writing the investment and be notified in writing about the disclosures required under the Act. The trustee must inform the Comptroller of the rollover and obtain the consent of the purchaser. Further, the purchaser retains the right to a refund unless the contract is sold on an irrevocable basis. Notice must also be given in writing that the cash surrender value of the life insurance policy or tax-deferred annuity may be less than the amount provided for by the refund provisions of the trust account.

XII. DOES A PROVIDER HAVE TO BE SELECTED WHEN ENTERING INTO A PRE-NEED CONTRACT?

No, a provider, the person or entity who will be providing the services and merchandise, may be selected at the time the merchandise and services are chosen, or you, your survivor or legal representative may designate the provider later. If you select a provider, you have a right to change the provider later at anytime.

XIII. IF THE SELLER IS NOT THE PROVIDER, HOW DO I KNOW WHO WILL PROVIDE THE FUNERAL GOODS AND SERVICES?

If the provider has been selected, there must be a binding agreement between the seller and the provider. Also, the pre-need contract must disclose the identity of the provider and the nature of the agreement between the seller and the provider. This

COMPTROLLER

NOTICE OF PROPOSED RULES

information must be disclosed to the purchaser prior to the time of sale and before the receipt of any proceeds from the purchaser.

XIV. CONCLUSION

Pre-need funeral planning is becoming more common for both individuals and families. These arrangements can ease the burden on the family at the time of death by eliminating the need to make these arrangements during the period of grief.

However, it is important that you, the consumers, are fully aware of your rights and obligations when making pre-need funeral arrangements. This booklet hopefully has assisted you by helping to summarize the rights and obligations as set forth in the Act.

If you should have any questions concerning any of the information contained in this booklet, you may contact the following:

Office of the Comptroller
Cemetery and Burial Trust Department
Suite 15-500

James R. Thompson Center
100 West Randolph Street
Chicago, Illinois 60601
(312) 814-5783

Fax: (312) 814-2986

ACKNOWLEDGEMENT (Optional)

By signing below, purchaser acknowledges that he/she has been given the Pre-need Booklet by seller prior to the sale of the pre-need contract.

Purchaser's Signature

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PUBLIC HEARINGS ON PROPOSED RULES

- 1) Heading of the Part: Professional Counselor and Clinical Professional Counselor Licensing Act

- 2) Code Citation: 68 Ill. Adm. Code 1375

- 3) Register Citation to Notice of Proposed Rules:

18 Ill. Reg. 7986, dated May 27, 1994

- 4) Date, Time and Location of Public Hearings:

Wednesday, June 22, 1994, 10 A.M.
Illinois Department of Professional Regulation
James R. Thompson Center, 9th Floor, Room 9-301
100 West Randolph
Chicago, Illinois 62959

Friday, June 24, 1994, 10 A.M.
Illinois Department of Professional Regulation
320 West Washington, 5th Floor Conference Room
Springfield, Illinois 62786

- 5) Other Pertinent Information:

Each person presenting oral testimony shall provide a written copy of such testimony at the time the oral testimony is presented.

Each person presenting oral testimony will be allowed (15) fifteen minutes for the presentation.

Those individuals who are unable to attend the public hearings but wish to comment on the Proposed Rules should submit written comments to:

Department of Professional Regulation
Attention: Jean A. Courtney
320 West Washington, 3rd Floor
Springfield, Illinois 62786
217/785-0800 Fax #: 217/782-7645

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PUBLIC HEARINGS ON PROPOSED RULES

All comments received within 30 days after this issue of the Illinois Register will be considered. The comments of interested persons who submit a request to comment within 14 days after this issue will be considered if received within 30 days after such request.

ILLINOIS REGISTER

ILLINOIS REGISTER

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLYJOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

SECOND NOTICES RECEIVED
(Page 2)

The following second notices were received by the Joint Committee on Administrative Rules during the period of May 10, 1994 through May 16, 1994, and have been scheduled for review by the Committee at its June 14, 1994 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Office Bldg., Springfield IL 62706.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting		
6/25/94	Pollution Control Board, Visible and Particulate Matter Emissions (35 Ill Adm Code 212)	1/28/94 18 Ill Reg 967	6/14/94	6/29/94	3/18/94 18 Ill Reg 3996 Department of Nuclear Safety, Use of X-Rays in the Healing Arts Including Medical, Dental, Podiatry, and Veterinary Medicine (32 Ill Adm Code 360)
6/25/94	Office of the Lieutenant Governor, Keep Illinois Beautiful Program (47 Ill Adm Code 600)	11/19/93 17 Ill Reg 19834	6/14/94	6/29/94	2/25/94 18 Ill Reg 2846 Department of Rehabilitation Services, Advisory Councils (89 Ill Adm Code 515)
6/25/94	Pollution Control Board, Hearings Pursuant to Specific Rules (35 Ill Adm Code 106)	1/28/94 18 Ill Reg 959	6/14/94	6/29/94	3/4/94 18 Ill Reg 3106 Department of Rehabilitation Services, Services (89 Ill Adm Code 590)
6/29/94	Department of Public Aid, Long Term Care Reimbursement Changes (89 Ill Adm Code 153)	2/4/94 18 Ill Reg 1686	6/14/94	6/30/94	2/25/94 18 Ill Reg 2853 Secretary of State, Cancellation, Revocation or Suspension of Licenses or Permits (92 Ill Adm Code 1040)
6/29/94	Department of Public Aid, Hospital Reimbursement Changes (89 Ill Adm Code 152)	2/4/94 18 Ill Reg 1677	6/14/94		
6/29/94	Pollution Control Board, Effluent Standards (35 Ill Adm Code 304)	2/18/94 18 Ill Reg 2560	6/14/94		
6/29/94	Department of Agriculture, Meat and Poultry Inspection (8 Ill Adm Code 125)	3/18/94 18 Ill Reg 3809	6/14/94		

PROCLAMATION

94-218

ARTS WEEK

Whereas, the arts in all forms are treasures that bring joy to everyone; and

Whereas, our lives are enriched by the art that surrounds us in our everyday environments, the art that is part of our history, and the art for far-away places that we bring home in our hearts and minds; and

Whereas, the arts in Illinois deserve recognition and support so they may continue to flourish in abundant variety; and

Whereas, the Illinois Arts Council and the National Endowment for the Arts are two organizations that play a vital role in bringing the arts to our citizenry; and

Whereas, central to that partnership is the shared belief that freedom of artistic expression must remain unfettered by government interference in its content;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 2-8, 1994, as ARTS WEEK in Illinois.

Issued by the Governor May 2, 1994.

Filed with the Secretary of State May 13, 1994.

94-219

ROTARY CLUB OF OAK PARK DAY

Whereas, Rotary International, established in Chicago, Illinois, in 1905, is a service organization comprised of business men and women from a broad section of professional experience, committed to the motto, "Service Above Self;" and

Whereas, the Rotary Club of Oak Park, one of 24,000 worldwide, was begun in 1919 and is celebrating its 75th year of service to the local community and to citizens of the world; and

Whereas, in recent years, Oak Park Rotary members have contributed generously to the international eradication of polio through the polio plus program, have assisted in alleviating suffering and death from cholera in Quito, Ecuador, provided medicine and medical supplies for Poland, and made possible the shipment of thousands of dollars of medical assistance to a children's hospital in Irkutsk, Russia, as well as donating generously to local philanthropies; and

Whereas, Oak Park Rotary Club members have joined with more than one million service-minded business and professional leaders in Rotary membership across the world in fighting hunger and disease, working with young people, providing scholarships and encouraging international understanding; and

Whereas, the Rotary Club of Oak Park has, in keeping with the

goals of the organization, fostered high ethical standards in business, applied the ideal of service by every Rotarian to his or her personal business and community life, and has advanced the fellowship of professional men and women for world betterment;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 18, 1994, as ROTARY CLUB OF OAK PARK DAY in Illinois in recognition of 75 years of service and professional dedication.

Issued by the Governor May 2, 1994.

Filed with the Secretary of State May 13, 1994.

94-220

SCORE DAY

Whereas, the Service Corps of Retired Executive Association (SCORE), a volunteer counseling group sponsored by the U.S. Small Business Administration, has provided valuable management counseling to small business owners in Illinois and throughout the nation; and

Whereas, SCORE's counseling services -- provided without charge -- are designed to help business owners make their businesses more successful and profitable, and encourage citizens to become entrepreneurs, advancing themselves, their community and country; and

Whereas, SCORE will celebrate 30 years of dedicated and professional service to small businesses across the United States on May 2;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 2, 1994, as SCORE DAY in Illinois in honor and recognition of the many accomplishments of the state and nation's small business men and women, and the important contribution SCORE has made to our free enterprise system.

Issued by the Governor May 2, 1994.

Filed with the Secretary of State May 13, 1994.

94-221

A.J. BOGGIO DAY

Whereas, Alexander J. Boggio -- better known as "A.J." -- arrived at the State Capitol in March of 1985, assuming the responsibility of Bureau Photographer for WCIA-TV, just one day before the Budget Address; and

Whereas, with his Chicago roots and knowledge of the legislature, A.J. was a welcome resource for Capitol Bureau Chief, Molly Hall; and

Whereas, over the past nine years, A.J. has learned to love the coveted blue curtain in the Blue Room, the daily campouts in

front of the Governor's office during end-of-session negotiations, constantly requesting permission to videotape countless Senate sessions, and ending his days with the echoing words, "Have all voted who wish?" ringing in his ears; and

Whereas, A.J. Boggio was the first photojournalist to become a board member of the Illinois News Broadcasters Association, and is the longest known full-time Statehouse video photographers; and

Whereas, he met his lovely wife, Jan Stephenson Boggio, while she was working as a Senate staffer and together developed their love for fine food and wine, antiques, and Newfoundland dogs; and

Whereas, A.J. has outlasted Channel 3's Bureau Chief, Carol Fowler, and PAR Interns turned WCIA employees, Linda Mize, Kevin Finch, and Christine Tressel, and Assignment Editor, Len Prazak; and

Whereas, A.J. has covered two gubernatorial administrations, several sessions of the General Assembly, including the longest overtime sessions in the state's history, numberless political campaigns, state fair features, and the first execution in Illinois in more than a quarter of a century; and

Whereas, A.J. and Jan are leaving Springfield to become innkeepers of the White Rabbit Inn in Michigan near "Media Beach;" and

Whereas, A.J. will be close by, at an hour and a half away from Chicago, and will make his services available to WGN-TV in the off season; and

Whereas, A.J.'s warm personality, professionalism, and his thoughtful approach to government reporting will be missed by many in the Statehouse;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim Thursday, May 5, 1994, as A.J. BOGGIO DAY in Illinois.

Issued by the Governor May 4, 1994.

Filed with the Secretary of State May 13, 1994.

94-222

D.A.R.E. FAMILY NIGHT WITH THE CARDINALS

Whereas, D.A.R.E. (Drug Abuse Resistance Education) is now taught in Illinois by more than 570 experienced and accomplished D.A.R.E. officers in more than 1,900 classrooms, reaching some 139,000 fifth and sixth grade students annually; and

Whereas, Metro East schools were among the original 86 schools to participate in Illinois' 1987 D.A.R.E. pilot program; and

Whereas, D.A.R.E. has continued to flourish and receive unparalleled support throughout the Metro East area; and

Whereas, Cardinal shortstop Ozzie Smith was made an honorary Illinois State Trooper on D.A.R.E. Family Night in 1991 for

giving generously of his time to talk with children involved in the D.A.R.E. program and serving as an outstanding role model for all young people; and

Whereas, D.A.R.E. Family Night with the Cardinals has allowed thousands of D.A.R.E. students and their family members to experience a special time together; and

Whereas, D.A.R.E. Family Night further typifies the first-class reputation which has always characterized the St. Louis Cardinal organization;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 10, 1994 as D.A.R.E. FAMILY NIGHT WITH THE CARDINALS in Illinois in recognition of the interest, support, and enthusiasm the St. Louis Cardinals have provided for the D.A.R.E. program.

Issued by the Governor May 4, 1994.

Filed with the Secretary of State May 13, 1994.

94-223

HOWARD A. PETERS III DAY

Whereas, Howard A. Peters III was appointed on March 26, 1991, as the first African-American to head the Illinois Department of Corrections, and has more than 20 years of experience in the corrections field; and

Whereas, Howard Peters was involved in one of the earliest conferences held to establish a permanent national organization focusing the efforts of the criminal justice system on achieving equal justice for African-Americans and other minorities; and

Whereas, the National Association of Blacks in Criminal Justice was established in 1974 as a network of criminal justice professionals dedicated to addressing the needs, concerns, and contributions of Blacks and other minorities related to the administration of equal justice; and

Whereas, Director Peters served on the National Board of Directors and was president of the first chapter of the National Association of Blacks in Criminal Justice, the Illinois Chapter; and

Whereas, he also serves as an advisor to and a charter member of the second chapter established in the state, the Greater Illinois Area Chapter; and

Whereas, the Greater Illinois Chapter of the National Association of Blacks in Criminal Justice will honor Howard A. Peters III as its 1994 Man of the Year;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 7, 1994, as HOWARD A. PETERS III DAY in Illinois in honor and recognition of his many contributions to the state's criminal justice system.

Issued by the Governor May 4, 1994.

Filed with the Secretary of State May 13, 1994.

94-224

MOTHER'S DAY

Whereas, mothers are the backbone of the family and the home, and now more than ever, they are serving their communities in a variety of fields that contribute to the public welfare and the prosperity of the nation; and

Whereas, mothers teach and inspire their children about the importance of morals and ethics, fundamental laws governing true integration and opportunity, and the timeless values of the civic virtues that are the requisites of good American citizenship; and

Whereas, Mother's Day, traditionally the second Sunday in May, presents us with a special opportunity to demonstrate our appreciation of our mothers for their influence on us and our society as a whole;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 8, 1994, as MOTHER'S DAY in Illinois.

Issued by the Governor May 4, 1994.

Filed with the Secretary of State May 13, 1994.

94-225

PALOS PUBLIC LIBRARY DAY

Whereas, a volunteer community library in Palos Heights was started February 28, 1994, by the Palos Heights Woman's Club and Harwell West, Editor of The Regional, and was incorporated by the State of Illinois on May 8, 1994; and

Whereas, the library was first located at the Walter Ward home, then moved to the Community Club Building in 1945, to the old fire station building in 1947, and finally to its own building in September 1972 where it is presently located; and

Whereas, the library operated independently -- supported entirely by charitable contributions from organizations such as the Woman's Club and the Community Club -- until it became a part of the city in May 1960 with the City Council's approval of a request by the library board; and

Whereas, circulation has grown from more than 100 books per week in 1944 to more than 145,000 items each year while serving some 2,677 individuals each week; and

Whereas, the Board of Trustees and library staff will hold a 50th anniversary celebration on Saturday, May 7;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 7, 1994, as PALOS HEIGHTS PUBLIC LIBRARY DAY in Illinois.

Issued by the Governor May 4, 1994.

Filed with the Secretary of State May 13, 1994.

94-226

PLANET ILLINOIS DAY

Whereas, the Illinois Department of Lottery was established in 1974; and

Whereas, since its inception, the Lottery has awarded 800 million prizes and created 750 millionaires; and

Whereas, the Lottery has substantially contributed to the children of the state through the Common School Fund; and

Whereas, the Lottery will celebrate its 20th anniversary of serving Illinoisans; and

Whereas, on May 6, 1994, more than 300 Illinois Lottery millionaires and their guests will travel across the country to celebrate the 12th reunion at the Planet Hollywood restaurant in Chicago;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 6, 1994, as PLANET ILLINOIS DAY in Illinois.

Issued by the Governor May 4, 1994.

Filed with the Secretary of State May 13, 1994.

94-227

GATEWAY FOUNDATION DAY

Whereas, the abuse of alcohol and other drugs is among our nation's foremost problems, affecting people from every ethnic and socioeconomic background; and

Whereas, despite increased demands for drug treatment programs and the difficulty inherent in rehabilitation, Gateway Foundation perseveres in its successful drug-free programs; and

Whereas, this nonprofit organization provides outreach services, residential and outpatient drug-free treatment, and prevention and community education through residential and outpatient centers; and

Whereas, since its inception, Gateway Foundation has continued its dedication to building alcohol abusers and other drug abusers into confident men and women capable of participating as self-sufficient, respected, and competent members of society; and

Whereas, at its 19th annual Citizen of the Year Dinner, Gateway will celebrate its 26th year of service to the chemically dependent and will honor James J. O'Connor, Chairman of Commonwealth Edison, with a Community Service Award for his untiring dedication to Gateway; and

Whereas, the Northern Trust Company will be awarded the Citizen of the Year Award for its leadership and commitment to

ensuring that treatment and prevention programs are available to everyone who needs them;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 26, 1994, as GATEWAY FOUNDATION DAY in Illinois and commend the Gateway Foundation for its successful drug-free treatment and prevention programs.

Issued by the Governor May 5, 1994.

Filed with the Secretary of State May 13, 1994.

94-228

LEGACY TOUR '94 DAY

Whereas, Legacy Tour '94 is a community grassroots program of World Cup USA '94 which began with the United States Kick-off celebration in Los Angeles; and

Whereas, Legacy Tour '94 will celebrate the World Cup spirit, help increase awareness of soccer throughout America, and promote the many events and activities being held in the Chicago area during World Cup USA '94; and

Whereas, on May 9, 1994, students from neighborhood Hispanic Soccer Leagues will demonstrate their soccer skills at Humboldt Park for media covering World Cup USA '94 activities; and

Whereas, the Chicago debut of Legacy Tour '94 is scheduled for the weekends of May 21-22, June 4-5, and June 11-12 at city and suburban parks and will include Soccer Fun Site skills events;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 9, 1994, as LEGACY TOUR '94 DAY in Illinois.

Issued by the Governor May 5, 1994.

Filed with the Secretary of State May 13, 1994.

94-229

NATIONAL ASSOCIATION OF INSURANCE WOMEN'S WEEK

Whereas, professional insurance women make a significant contribution to the risk and insurance industry; and

Whereas, they are increasingly effective locally and statewide in promoting public awareness of important issues such as tort reform, automobile safety, and drunk driving; and

Whereas, they are committed to maintaining the highest professional standards and ethics in the insurance industry; and

Whereas, professional insurance women are working effectively on a national level as the National Association of Insurance Women (International), which has reached a membership of more than 15,000; and

Whereas, these insurance professionals have earned recognition for their outstanding accomplishments in the

economically vital insurance industry;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 15-21, 1994, as NATIONAL ASSOCIATION OF INSURANCE WOMEN'S WEEK in Illinois in honor of their important and diverse roles throughout the risk and insurance industry.

Issued by the Governor May 5, 1994.

Filed with the Secretary of State May 13, 1994.

94-230

SURGICAL TECHNOLOGISTS WEEK

Whereas, the Association of Surgical Technologists, Inc., was officially incorporated as a nonprofit educational association in 1969 with the support of the Association of Operating Room Nurses, the American College of Surgeons, and the American Hospital Associations; and

Whereas, the association's primary concerns center around ensuring that surgical technologists are educationally prepared to deliver quality patient care, which is accomplished through accredited surgical technology programs, national certification, and continuing education; and

Whereas, surgical technologists are responsible for the environmental disinfection, safety, and efficiency of the operating room. Their knowledge and experience with aseptic surgical techniques qualify them for a role of importance in the surgical suite; and

Whereas, surgical technologists are skilled professionals, uniquely prepared and proud of their role as a valuable and integral part of the surgical team for the benefit of patients, the public, and professional colleagues;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 15-21, 1994, as SURGICAL TECHNOLOGISTS WEEK in Illinois.

Issued by the Governor May 5, 1994.

Filed with the Secretary of State May 13, 1994.

94-231

WORLD CUP EDUCATION MONTH/WORLD CUP DAYS

Whereas, the State of Illinois and the City of Chicago have been chosen to host the World Cup USA '94 soccer games on their first visit to the United States in 60 years of World Cup history; and

Whereas, Chicago will host five of the 52 World Cup Games which will begin with the opening game on June 17 and end with the Round of 16 match on July 2; and

Whereas, the Illinois Bureau of Tourism will provide an

information booth for the 1994 World Cup, located at the James R. Thompson Center from June 15-July 2, that will offer information on World Cup events and Illinois recreation, hotels, and entertainment; and

Whereas, more than 3.5 million spectators are expected to attend the event, 60,000-100,000 of which are expected to be international visitors; and

Whereas, these visitors will have the opportunity to enjoy the World Cup games and the many off-the-field events that the Chicago Host Committee have planned from June 10-July 2, as well as the chance to visit the many historical sites, intriguing attractions and sporting events that Illinois has to offer;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 1994 as WORLD CUP EDUCATION MONTH in Illinois and June 15-July 2, 1994, as WORLD CUP DAYS in Illinois.

Issued by the Governor May 5, 1994.

Filed with the Secretary of State May 13, 1994.

94-232

CHILD SUPPORT AWARENESS DAY

Whereas, ACES, Association for Children for Enforcement of Support, is the nation's largest non-profit child support organization whose members are families united to improve child support enforcement; and

Whereas, ACES will hold the Annual Candlelight Vigil to "Light a Candle of Hope for the Forgotten Children" on May 20, 1994, in conjunction with 150 other ACES chapters across the country; and

Whereas, each year ACES has helped raise public awareness and has helped increase the number of parents meeting their legal and moral obligation on their children; and

Whereas, aggressive efforts on behalf of the State of Illinois and grassroots organizations such as ACES are becoming more and more successful and must continue to be built upon in the future; and

Whereas, it is important that our children be provided with adequate food, clothing, shelter, health care, and education opportunities that may not be available to single parents without the assistance of child support;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 20, 1994, as CHILD SUPPORT AWARENESS DAY in Illinois.

Issued by the Governor May 6, 1994.

Filed with the Secretary of State May 13, 1994.

94-233

ELECTRICAL SAFETY MONTH

Whereas, electrical hazards are the cause of hundreds of injuries and deaths each year; and

Whereas, property damages due to electrical fires total more than \$1.2 billion each year; and

Whereas, through the promotion of public awareness and the education efforts of organizations such as the Electric Association serving Chicagoland, electrocution deaths have continued to steadily decline since 1975; and

Whereas, Electrical Safety Month reestablishes the importance of practicing safety habits in the home and workplace to help continue to decrease the number of injuries and deaths from electrical hazards; and

Whereas, citizens are encouraged to take such precautions as installing ground fault circuit interrupters, checking the batteries of their smoke detectors, and conducting electrical safety checks of their homes and workplaces;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 1994, as ELECTRICAL SAFETY MONTH in Illinois.

Issued by the Governor May 6, 1994.

Filed with the Secretary of State May 13, 1994.

94-234

HIGHLAND COMMUNITY COLLEGE COLLEGIATE CHOIR DAY

Whereas, the Highland Community College Collegiate Choir will be traveling to Austria on May 23-30, 1994, to perform a concert at High Mass at the Salzburg Dome Cathedral and two concerts in Vienna; and

Whereas, the choir will perform an outstanding repertoire of works by American composers, featuring the Mass by Patrick Beckman; and

Whereas, the students, faculty and community members participating in this trip will explore a foreign culture first hand, visit historical sites, and learn about western civilization and the history of music; and

Whereas, this experience will encourage the choir members to appreciate different cultures;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 26, 1994, as HIGHLAND COMMUNITY COLLEGE COLLEGIATE CHOIR DAY in Illinois.

Issued by the Governor May 6, 1994.

Filed with the Secretary of State May 13, 1994.

94-235

TELEPHONE OPERATORS WEEK

Whereas, telephone operators are vital to the operation of hospitals; and

Whereas, telephone operators are responsible for public address systems, radio paging systems, physicians' answering services, physicians' registers, and the switchboards; and

Whereas, they also alert code and trauma teams and the fire department; and

Whereas, telephone operators are at the core of the communications network, serving physicians, hospital personnel, patients, and visitors alike; and

Whereas, telephone operators are the unseen backbone of every hospital;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 16-20, 1994, as TELEPHONE OPERATORS WEEK AT ILLINOIS MASONIC MEDICAL CENTER.

Issued by the Governor May 6, 1994.

Filed with the Secretary of State May 13, 1994.

94-236

ALAN F. QUOOS DAY

Whereas, for 37 years, Alan F. Quoos has been committed to excellence in the field of electrical engineering; and

Whereas, his professionalism, tireless energy, and dedicated service to the company have earned the respect and admiration of his friends, colleagues, and customers; and

Whereas, Alan F. Quoos will retire from his electrical engineering career, throughout which he has provided distinguished service to the State of Illinois, as well as Pennsylvania, Georgia, New York, Iowa, and Minnesota;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 23, 1994, as ALAN F. QUOOS DAY in Illinois.

Issued by the Governor May 9, 1994.

Filed with the Secretary of State May 13, 1994.

94-237

CPA DAY

Whereas, Certified Public Accountants (CPAs) render valuable services to the public and strive to maintain the highest standards of objectivity and integrity; and

Whereas, the Illinois CPA Society represents more than 26,000 CPAs in industry, government, education, and public accounting practice; and

Whereas, the Illinois CPA Society hosts its State of the CPA Profession Day, which is the largest gathering of financial and business leaders in Illinois and provides a unique educational service to the profession and the business community; and

Whereas, the First Inaugural State of the CPA Profession Day will be held at the Stouffer Riviere Hotel in Chicago on June 24;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 24, 1994, as CPA DAY in Illinois in recognition of the important contributions made by CPAs and the Illinois CPA Society to the financial integrity and well-being of businesses, government, and individuals in Illinois.

Issued by the Governor May 9, 1994.

Filed with the Secretary of State May 13, 1994.

94-238

MARITIME DAY

Whereas, National Maritime Day has been observed since 1933, marking the date of the first successful Atlantic crossing by a ship using steam propulsion; and

Whereas, this day is set aside in honor of the American Merchant Marine, whose men and women served in war and peace, contributing to the waterborne commerce of our state and nation; and

Whereas, these oceangoing merchant ships greatly benefit the economic standing of Illinois by carrying their cargoes through the Great Lakes and its inland waterways; and

Whereas, the Propeller Club of the United States, with 63 member clubs throughout the country, annually takes time to celebrate this day with a variety of functions;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 20, 1994, as MARITIME DAY in Illinois.

Issued by the Governor May 9, 1994.

Filed with the Secretary of State May 13, 1994.

94-239

RAILROAD WOMEN'S DAY

Whereas, State of Illinois will observe Transportation Week May 15-21, 1994, in recognition of the essential role of transportation in our economy and prosperity; and

Whereas, women in railroading have made vital contributions through daily work, during peace and war, to their industry, and to the public; and

Whereas, one of the major objectives of the National Association of Railway Business Women, over and above their service to the industry, has been to stimulate good will for the

industry and a greater public awareness of the railroads' part in conserving energy;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 18, 1994, as RAILROAD WOMEN'S DAY in Illinois.

Issued by the Governor May 9, 1994.

Filed with the Secretary of State May 13, 1994.

94-240

TOURISM DAY

Whereas, tourism is a vital contributor to our economy and offers us the opportunity to share the beauty and history of our state with others; and

Whereas, the National Restaurant Association's Ninth Annual Tourism Luncheon is May 17, 1994; and

Whereas, more than 1,000 restaurateurs, hoteliers, and travel and tourism executive will be attending this luncheon; and

Whereas, Donna Shaw, Deputy Director of the Bureau of Tourism, is being honored for her outstanding leadership of the tourism industry in Illinois;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 17, 1994, as TOURISM DAY in Illinois.

Issued by the Governor May 9, 1994.

Filed with the Secretary of State May 13, 1994.

94-241

TRANSPORTATION WEEK

Whereas, transportation is a vital force in our society; and

Whereas, transportation moves the nation's goods, delivers the products of our farms and factories, and enables us to live and work where we choose; and

Whereas, transportation affords us the opportunity for leisure travel, thus educating our people toward the customs and ways of life in areas which would otherwise be foreign to us; and

Whereas, transportation enriches our economy and strengthens our defense; and

Whereas, transportation knits local communities together and allows them to expand -- to extend their commercial and economic boundaries; and

Whereas, as our state continues to grow, effective transportation takes on greater importance for local commuters as well as for those who travel across our region; and

Whereas, we owe a debt of gratitude to transportation officials who continue to design and plan for safer and more efficient modes of travel and methods to minimize the congestion of our streets and highways;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 15-21, 1994, as TRANSPORTATION WEEK in Illinois, and I urge all citizens to join me in observing, supporting, and participating in this significant event and in recognizing the transportation industry and its workers who give of the abilities and knowledge toward the betterment of our state.

Issued by the Governor May 9, 1994.

Filed with the Secretary of State May 13, 1994.

94-242

BUCKLE-UP AMERICA MONTH

Whereas, motor vehicle crashes are the greatest single cause of death in the United States for individuals aged six to 33 years; and

Whereas, in 1992, the lives of more than 5,200 front-seat occupants over four years old were saved by safety belts; and

Whereas, when used, lap and shoulder belts reduce the risk of fatal or serious occupant injury to front seat passengers by 45-55 percent; and

Whereas, alcohol-related fatalities peak during the summer driving seasons; and

Whereas, one of the best defenses against the drunk or drugged driver is the use of safety belts combined with air bags or child safety seats; and

Whereas, those drivers who use their safety belts only on long trips or highway driving should be aware of the fact that three out of four crashes occur within 25 miles of home; and

Whereas, 46 states, the District of Columbia, Puerto Rico, and the U.S. Territories have enacted safety belt use laws, and all 50 states, the District of Columbia, Puerto Rico, and the Territories have enacted laws requiring the use of child passenger restraint systems; and

Whereas, through continued public awareness, education, and enforcement of safety belt laws and usage, deaths and serious injuries can be significantly reduced; and

Whereas, Buckle Up America Month provides Illinois communities and organizations an opportunity to join together to work toward increased use of safety belts and child safety seats by focusing public attention on the life-saving benefits of these systems;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 1994 as BUCKLE-UP AMERICA MONTH in Illinois and encourage communities to observe the month with appropriate programs, ceremonies, and activities to increase the use of safety belts and safety seats with the goal of increasing the state usage rate; to support the efforts of enforcement agencies to increase compliance with state occupant protection laws; and

to encourage part-time users to become full-time users.

Issued by the Governor May 10, 1994.

Filed with the Secretary of State May 13, 1994.

94-243

DR. WILLIAM HILL DAY

Whereas, over the past 34 years, Dr. William Hill has served Illinois' educational system in positions ranging from teacher, college professor and writer, to Superintendent of Schools for Charleston Community Unit School District No. 1 and President of the Illinois Association of School Administrators; and

Whereas, his professional accomplishments and contributions to education, as well as his strong leadership have earned him recognition and respect among the education community; and

Whereas, throughout his career, Dr. Hill has displayed exemplary service and commitment to Illinois' educational system and has had the opportunity to positively influence students, teachers and administrators; and

Whereas, Dr. Hill will retire from his position as Charleston Superintendent of Schools and has completed his term as President of the Illinois Association of School Administrators;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 10, 1994, as DR. WILLIAM HILL DAY in Illinois in appreciation of his dedication and commitment to excellence in education.

Issued by the Governor May 10, 1994.

Filed with the Secretary of State May 13, 1994.

94-244

STAMP COLLECTING WEEK

Whereas, philatelists and others interested in stamp collecting have gathered for the past 36 years for COMPLEX (Combined Philatelic Exhibition of Chicago and); and

Whereas, hundreds of frames of rare and unusual stamps will be displayed at COMPLEX; and

Whereas, COMPLEX is the largest club-sponsored show in the United States, presenting the widest range of exhibits by children and adults alike; and

Whereas, the theme for this year's COMPLEX show is "The 25th Anniversary of Man's First Lunar Landing";

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 22-29, 1994, as STAMP COLLECTING WEEK in Illinois. I welcome all visitors and exhibitors to our state and wish them a rewarding and enjoyable visit.

Issued by the Governor May 10, 1994.

Filed with the Secretary of State May 13, 1994.

ACTION CODES	
A - Adopted Rule	P - Proposed Rule
AR - Adopted Repealer	PF - Prohibited Filing Order by JCAR (Joint Committee on Rules)
C - Notice of Corrections	PP - Peremptory or Court Ordered Rules
CC - Codification Changes	PR - Proposed Repealer
E - Emergency Rule	R - Refusal to meet JCAR Objection
ER - Emergency Repealer	RC - Statement of Recommendation
M - Modification to meet JCAR objections	S - Suspension ordered by JCAR
O - JCAR Statement of Objections	W - Withdrawal to meet JCAR Objections
RQ - Request for Correction	
EC - Expedited Corrections	

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-7017.

AGING, DEPARTMENT ON

89 Ill. Adm. Code 240 Community Care Program (P-14225/93; A-609) (E-5355) (P-5027)
 89 Ill. Adm. Code 260 Long-Term Care Insurance Partnership Demonstration Program (P-3802)
 89 Ill. Adm. Code 230 Older Americans Act Program (P-5720)

AGRICULTURE, DEPARTMENT OF

8 Ill. Adm. Code 110 Animal Diagnostic Act (P-14717; A-1825)
 8 Ill. Adm. Code 75 Bovine Brucellosis (P-14728/93; A-1833)
 8 Ill. Adm. Code 257 Cooperative Groundwater Protection Program (P-14288/93; A-205)
 8 Ill. Adm. Code 20 Definitions (P-14793; A-1844)
 8 Ill. Adm. Code 85 Diseased Animals (P-14747/93; A-1850)
 8 Ill. Adm. Code 116 Equine Infectious Anemia Control (P-14761/93; A-1861)
 68 Ill. Adm. Code 590 Feeder Swine Dealer Licensing (P-14765/93; A-1865)
 8 Ill. Adm. Code 270 Illinois State Fair and DuQuoin State Fair, Non-Fair Space Rental and the General Operation of the State Fairgrounds (P-3164)
 8 Ill. Adm. Code 40 Livestock Auction Markets (P-14769/93; A-1869)
 68 Ill. Adm. Code 610 Livestock Dealer Licensing (P-14775/93; A-1875)
 8 Ill. Adm. Code 125 Meat and Poultry Inspection Act (PP-304) (P-3809; A-4622) (PP-6442)
 8 Ill. Adm. Code 105 Swine Disease Control & Eradication Act (P-14781/93; A-1880)
 8 Ill. Adm. Code 600 Weights and Measures Act (E-4426)

ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF

77 Ill. Adm. Code 2090 Subacute Alcoholism and Substance Abuse Treatment Services (P-5029)

ATTORNEY GENERAL

14 Ill. Adm. Code 200 Franchise Disclosure Act (PP-2522)

AUDITOR GENERAL

2 Ill. Adm. Code 600 Public Information, Rulemaking, Organization and Personnel (A-6404) (AR-6440)
 2 Ill. Adm. Code 601 Freedom of Information (A-7739)

CARNIVAL-AMUSEMENT SAFETY BOARD

56 Ill. Adm. Code 6000 Carnival and Amusement Park Inspection Law (P-6040)

CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF

44 Ill. Adm. Code 5000 Acquisition, Management & Disposal of Real Property (P-15217/93; A-1886) (P-5057)
 80 Ill. Adm. Code 302 Merit & Fitness (P-14788/93; A-1892)
 80 Ill. Adm. Code 310 Pay Plan (P-13657/93; P-14314; A-227; A-1107) (P-21233/93; A-5146)
 80 Ill. Adm. Code 2650 Solicitation for Charitable Payroll Deductions (A-3115)

CHILDREN AND FAMILY SERVICES, DEPARTMENT OF

89 Ill. Adm. Code 434 Audit, Review and Investigations (P-7115/93; A-6697)
 89 Ill. Adm. Code 305 Client Service Planning (P-6467)
 89 Ill. Adm. Code 431 Confidentiality of Personal Information of Persons Served by the Department (P-7554) (CC-7951)
 89 Ill. Adm. Code 428 Department Advisory Council, Ill. Juvenile Commission & Other Statewide & Regional Committees (P-561)

ILLINOIS REGISTER
CUMULATIVE INDEX

Vol. 18, Issue #21 **May 27, 1994**

(Children and Family Services, cont.)

- 89 Ill. Adm. Code 437 Department of Children and Family Services Employees Conflict of Interest (P-7539)
- 89 Ill. Adm. Code 406 Licensing Standards for Day Care Homes (P-11964/93;A-5531)
- 89 Ill. Adm. Code 408 Licensing Standards for Group Day Care Homes (P-11976/93;A-5540)
- 89 Ill. Adm. Code 335 Relative Home Placements (P-6681/93;A-7444)

CIVIL SERVICE SYSTEM, STATE UNIVERSITIES

- 80 Ill. Adm. Code 250 State Universities Civil Service System (P-18455/93;A-1901)

COMMERCE COMMISSION, ILLINOIS

- 92 Ill. Adm. Code 1376 Accounting & Financial Record Requirements (P-8630/93;A-1914)
- 83 Ill. Adm. Code 792 Imputation (P-11988/93;A-1919)
- 83 Ill. Adm. Code 790 Interconnection (P-19334/93;A-6147)
- 83 Ill. Adm. Code 535 Least-Cost Planning for Natural Utilities (PR-6081)
- 83 Ill. Adm. Code 590 Minimum Safety Standards for Transportation of Gas Pipeline Facilities (P-2720)
- 83 Ill. Adm. Code 770 Operator Service Providers (P-6099)
- 83 Ill. Adm. Code 315 Pole Attachment Rates, Terms, & Conditions Applicable to Cable Television Companies, Electric Utilities & Telecommunications Carriers (P-202/93;A-676;M-795)
- 83 Ill. Adm. Code 280 Procedures for Gas, Electric, Water & Sanitary Sewer Utilities Governing Eligibility for Service, Deposits, Payment Practices & Discontinuance of Service (P-918) (P-6382/93;A-6160)
- 83 Ill. Adm. Code 735 Procedures Governing the Establishment of Credit, Billing, Deposits, Termination of Service & Issuance of Telephone Directories for Telephone Utilities in the State of Illinois (P-927) (P-12483;A-4146) (P-6386/93;A-6164)

- 92 Ill. Adm. Code 1236 Reinstatement of Revoked Operating Authority (P-8635/93;A-1924)

- 83 Ill. Adm. Code 200 Rules and Practices (P-22117/93;A-7748)
- 83 Ill. Adm. Code 285 Standard Information Requirements for Electric, Gas, Water & Sewer Utilities & Telecommunications Carriers in Filing for an Increase in Rates (P-2723)
- 83 Ill. Adm. Code 425 Uniform Electric Fuel Adjustment (P-4483)
- 92 Ill. Adm. Code 1375 Uniform System of Accounts (P-8635/93;A-1927)
- 83 Ill. Adm. Code 415 Uniform System of Accounts for Electric Utilities (P-937) (P-4490)
- 83 Ill. Adm. Code 505 Uniform System of Accounts for Gas Utilities (P-946)

COMMERCE AND COMMUNITY AFFAIRS, DEPARTMENT OF

- 47 Ill. Adm. Code 160 Emergency Shelter Grants Program (P-15747/93;A-5163)
- 14 Ill. Adm. Code 520 Enterprise Zone Program (P-979/93;A-5172)
- 14 Ill. Adm. Code 510 III. Promotion Act Programs (P-14318/93;A-5813)
- 14 Ill. Adm. Code 570 Illinois Small Business Development Program (P-21123/93;A-6112)
- 56 Ill. Adm. Code 509 Industrial Training Program (P-20063/93;RQ-6022)
- 83 Ill. Adm. Code 772 Pay-Per-Call Services (P-7156)
- 56 Ill. Adm. Code 2600 Service Delivery System & State Responsibilities (P-805)
- 14 Ill. Adm. Code 545 Technology Advancement & Development Act Program (P-839)
- 56 Ill. Adm. Code 2630 Uniform Fiscal & Administrative Standards for the Job Training Partnership Act (P-855)

COMMISSIONER OF BANKS AND TRUST COMPANIES

- 38 Ill. Adm. Code 380 Eligible State Bank (P-19347/93;A-4630)

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

- 38 Ill. Adm. Code 1075 Savings Bank Act (E-7016)

COMMUNITY COLLEGE BOARD, ILLINOIS

- 23 Ill. Adm. Code 1501 Administration of the Ill. Public Community College (P-569) (P-6686/93;A-4635)

COMMUNITY DEVELOPMENT FINANCE CORPORATION, ILLINOIS

- 47 Ill. Adm. Code 700 By-laws (P-4530/93;A-5826)

COMPTROLLER, OFFICE OF THE

- 38 Ill. Adm. Code 610 III. Funeral or Burial Funds Act (P-7168;C)
- 74 Ill. Adm. Code 275 Transfers Between Accounts Within a Fund Held by State Treasurer (P-1664;E-2119;A-7754)

ILLINOIS REGISTER
CUMULATIVE INDEX

Vol. 18, Issue #21 **May 27, 1994**

CONSERVATION, DEPARTMENT OF

- 17 Ill. Adm. Code 130 Camping on Department of Conservation Properties (P-18721/93;A-1126)
- 17 Ill. Adm. Code 530 Cock Pheasant, Hungarian Partridge, Bobwhite Quail, Rabbit and Crow Hunting (P-4495)
- 17 Ill. Adm. Code 850 Commercial Fishing in Lake Michigan (P-22123/93;A-5834)
- 17 Ill. Adm. Code 830 Commercial Fishing and Muselling in Certain Waters of the State (E-4761) (P-5372)
- 17 Ill. Adm. Code 2520 Consignment of Licenses (P-3821)
- 17 Ill. Adm. Code 730 Dove Hunting Season (P-3830)
- 17 Ill. Adm. Code 590 Duck, Goose and Coot Hunting (P-5065)
- 17 Ill. Adm. Code 910 Field Trials on Department-Owned Managed Sites (P-3846)
- 17 Ill. Adm. Code 1010 III. List of Endangered & Threatened Fauna (P-16273/93;A-1134)
- 17 Ill. Adm. Code 1050 III. List of Endangered & Threatened Flora (P-16285/93;A-1142)
- 17 Ill. Adm. Code 3010 Illinois Snowmobile Grant Program (P-5379)
- 17 Ill. Adm. Code 570 Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Coyote, Beaver and Woodchuck (P-3853)
- 17 Ill. Adm. Code 1070 Possession of Specimens or Products of Endangered or Threatened Species (P-1;A-5838)
- 17 Ill. Adm. Code 550 Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote and Woodchuck (Groundhog) Hunting (P-3868)
- 17 Ill. Adm. Code 4010 Register of Land & Water Reserves (P-578)
- 17 Ill. Adm. Code 810 Sport Fishing Regulations for the Waters of Illinois (P-19785/93;A-3277) (E-5667) (P-6202)
- 17 Ill. Adm. Code 690 Squirrel Hunting (P-3193)
- 17 Ill. Adm. Code 710 Taking of Wild Turkeys-Spring Season, The (P-18927/93;A-1156) (E-3751)
- 17 Ill. Adm. Code 720 Taking of Wild Turkeys-Fall Archery Season, The (P-3884)
- 17 Ill. Adm. Code 715 Taking of Wild Turkeys-Fall Gun Season, The (P-3895)
- 17 Ill. Adm. Code 670 White-Tailed Deer Hunting by Use of Bow and Arrow (P-21907/93;A-5842)
- 17 Ill. Adm. Code 650 White-Tailed Deer Hunting by Use of Firearms (P-21927/93;A-5859) (P-7180)
- 17 Ill. Adm. Code 660 White-Tailed Deer Hunting Season by Use of Muzzleloading Rifles (P-21952/93;A-5878) (P-7183)
- 17 Ill. Adm. Code 740 Woodcock, Snipe, Rail, and Teal Hunting (P-3986)

CORRECTIONS, DEPARTMENT OF

- 20 Ill. Adm. Code 420 Assignment of Committed Persons (P-19367/93;A-2929)
- 20 Ill. Adm. Code 460 Impact Incarceration Program (P-19371/93;A-2933)
- 20 Ill. Adm. Code 107 Records of Committed Persons (P-19377/93;A-2939)
- 20 Ill. Adm. Code 405 School District (P-19405/93;A-2970)
- 20 Ill. Adm. Code 501 Security (P-8396/93;A-6328)

CRIMINAL JUSTICE INFORMATION AUTHORITY, ILLINOIS

- 20 Ill. Adm. Code 1570 Fees for Processing Requests for Conviction Information (P-21136/93;A-4679)
- 20 Ill. Adm. Code 1810 Rules for the Award and Monitoring of Trust Funds (P-20516/93;A-4834)
- 20 Ill. Adm. Code 1800 Trust Fund Collection Rules (P-20539/93;A-4852)

EDUCATION, STATE BOARD OF

- 23 Ill. Adm. Code 610 Article 34 School and Subdistrict Councils (P-5449)
- 23 Ill. Adm. Code 210 Learning Assessment & School Improvement Plans (P-10061/93;A-1169)
- 23 Ill. Adm. Code 1 Public Schools Evaluation, Recognition & Supervision (P-10079/93;A-1171)
- 23 Ill. Adm. Code 550 Reorganization Committee (PR-17611/93;AR-5551)
- 23 Ill. Adm. Code 226 Special Education (P-13231/93;A-1930) (P-18405/93;A-4685) (P-6482)
- 23 Ill. Adm. Code 170 Sprinkler System (P-18419/93;A-4699)
- 23 Ill. Adm. Code 245 Urban Education Partnership Program (P-10131/93;A-237)

ELECTIONS, STATE BOARD OF

- 23 Ill. Adm. Code 125 Practice and Procedure (P-6509)

EMERGENCY MANAGEMENT AGENCY, ILLINOIS

- 29 Ill. Adm. Code 1310 Emergency Management Assistance Program (P-13843/93;A-6394)
- 29 Ill. Adm. Code 1300 Emergency Services and Disaster Agencies: Establishment, Accreditation, and Workers' Compensation (P-13856/93;A-6386)

Local Emergency Services and Disaster Agencies: Establishment, Jurisdiction, and Accreditation

- 29 Ill. Adm. Code 300 Local Emergency Services and Disaster Agencies: Establishment, Jurisdiction, and Accreditation (PR-13865/93;AR-6384)
- 29 Ill. Adm. Code 510 Workers' Compensation Coverage (PR-13875/93;A-6382)

ILLINOIS REGISTER
CUMULATIVE INDEX

May 27, 1994

Vol. 18, Issue #21

EMPLOYMENT SECURITY, DEPARTMENT OF

- 56 Ill. Adm. Code 2915 Academic Personnel (P-19415/93;A-4154)
- 56 Ill. Adm. Code 2865 Claimant's Availability for Work, Ability to Work and Active Search for Work (P-19421/93;A-4160)
- 56 Ill. Adm. Code 2770 Determination of Unemployment Contributions (P-17628/93; A-250)
- 56 Ill. Adm. Code 2920 Disqualifying Income and Reduced Benefits (P-19427/93;A-4166)
- 56 Ill. Adm. Code 2760 Notices, Records, Reports (P-16319/93; A-261) (E-2631;O-7070;M-7492)

ENVIRONMENTAL PROTECTION AGENCY

- 35 Ill. Adm. Code 372 Illinois Design Standards for Slow Rate Land Application of Treated Wastewater (P-4524)
- 35 Ill. Adm. Code 370 Illinois Recommended Standards for Sewage Works (CC-6375)
- 35 Ill. Adm. Code 184 Licensing of Industrial Hygienists (P-4)

FINANCIAL INSTITUTIONS, DEPARTMENT OF

- 38 Ill. Adm. Code 130 Currency Exchange Rate (P-6929/93;W-6454)

HEALTH CARE COST CONTAINMENT COUNCIL, ILLINOIS OF

- 77 Ill. Adm. Code 2530 Hospital Price Information (P-19007/93;A-5343)
- 77 Ill. Adm. Code 2510 Data Collection (P-18944/93;A-5300)

HIGHER EDUCATION, BOARD OF

- 23 Ill. Adm. Code 1020 Health Services Education Grant (P-17639/93;A-4174)
- 23 Ill. Adm. Code 110 Program Accounting Manual (P-18283/93;A-5178)

HOUSING DEVELOPMENT AUTHORITY, ILLINOIS

- 47 Ill. Adm. Code 360 Affordable Housing Program (P-1669) (E-2124)
- 47 Ill. Adm. Code 365 Affordable Housing Bond Program (P-956;E-1596)
- 47 Ill. Adm. Code 310 Multifamily Rental Housing Mortgage Loan Program (A-1939)

HUMAN RIGHTS, DEPARTMENT OF

- 2 Ill. Adm. Code 926 Access to Information (P-512)
- 2 Ill. Adm. Code 925 Rulemaking and Organization (P-525)

INSURANCE, DEPARTMENT OF

- 50 Ill. Adm. Code 1250 Corrective Orders (P-3985/93;A-2230)
- 50 Ill. Adm. Code 1103 Life Reinsurance Agreement (P-8411/93;A-685)
- 50 Ill. Adm. Code 2012 Long-term Care Insurance (P-11279/93;A-2238)
- 50 Ill. Adm. Code 2018 Long-Term Care Partnership Insurance (P-3919)
- 50 Ill. Adm. Code 3119 Pre-Licensing and Continuing Education (P-3964)
- 50 Ill. Adm. Code 855 Prior Notification of Dividends on Common Stock and Other Distributions (P-21264/93;A-6168)
- 50 Ill. Adm. Code 854 Prior Notification of Transactions (P-21143/93;A-6176)
- 50 Ill. Adm. Code 6201 Requirements (A-2282)
- 50 Ill. Adm. Code 2017 Uniform Medical Claim and Billing (P-37)

INVESTMENT, ILLINOIS STATE BOARD

- 80 Ill. Adm. Code 2700 State (of Ill.) Employees' Deferred Compensation Plan (P-19755/93;A-7224)

JOINT COMMITTEE ON ADMINISTRATIVE RULES

- 1 Ill. Adm. Code 255 Distribution of Database Information (E-5359)
- 1 Ill. Adm. Code 260 Complaint Reviews (P-13233/93;A-4705)(CC-7495)
- 1 Ill. Adm. Code 245 Expedited Corrections (P-13248/93;A-4720)(CC-7496)
- 1 Ill. Adm. Code 250 Five Year Evaluation of All Existing Rules (P-13257/93;A-4728)
- 1 Ill. Adm. Code 210 General Policies (P-13268/93;A-4739)(CC-7497)
- 1 Ill. Adm. Code 230 Review of Emergency Rulemaking (P-13233/93;A-1233)(CC-7498)
- 1 Ill. Adm. Code 240 Review of Peremptory Rulemaking (P-13294/93;A-4745)(CC-7499)
- 1 Ill. Adm. Code 220 Review of Proposed Rulemaking (P-13307/93;A-4758)(CC-7500)

LABOR, DEPARTMENT OF

- 56 Ill. Adm. Code 350 Health & Safety (P-1672)

ILLINOIS REGISTER
CUMULATIVE INDEX

May 27, 1994

LIQUOR CONTROL COMMISSION, ILLINOIS

- 11 Ill. Adm. Code 100 The Illinois Liquor Control Commission (P-20094/93;A-4811)

LOTTERY, DEPARTMENT OF

- 11 Ill. Adm. Code 1700 Hearings (P-5394)
- 11 Ill. Adm. Code 1770 Lottery (General) (P-6519)

LOW-LEVEL RADIOACTIVE WASTE TASK GROUP

- 2 Ill. Adm. Code 2950 Information, Rulemaking and Organization (A-5889)

MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES, DEPARTMENT OF

- 59 Ill. Adm. Code 101 Administration (P-10688/93;A-4179)
- 59 Ill. Adm. Code 122 Certification Under Medicaid Rehabilitation Option for Early Intervention Program (P-3969)
- 59 Ill. Adm. Code 121 Early Intervention Program (P-3976)
- 59 Ill. Adm. Code 132 Medicaid Community Health Services Program (P-3902)
- 59 Ill. Adm. Code 120 Medicaid Home and Community-Based Services for Developmentally Disabled Recipients (P-3990)
- 59 Ill. Adm. Code 106 Service Charges (P-7583)

MINES AND MINERALS, DEPARTMENT OF

- 62 Ill. Adm. Code 240 Illinois Oil and Gas Act (P-22128/93;A-8061)

NATURE PRESERVES COMMISSION

- 17 Ill. Adm. Code 4000 Management of Nature Preserves (P-12005/93;A-2290)
- 17 Ill. Adm. Code 4010 Register of Land & Water Reserves (P-578;A-7253)

NORTHEASTERN ILLINOIS PLANNING COMMISSION

- 35 Ill. Adm. Code 399 Collection of Fees from Applicants requesting to change the Boundaries of a Wastewater Facility Planning Area (P-2552)

NUCLEAR SAFETY, DEPARTMENT OF

- 32 Ill. Adm. Code 405 Certification of Individuals to Perform Industrial Radiography (P-3326)
- 32 Ill. Adm. Code 333 Fees for Calibration Services (P-9797/93;A-2615)
- 32 Ill. Adm. Code 331 Fees for Radioactive Material Licenses (P-3045)
- 32 Ill. Adm. Code 330 Licensing of Radioactive Material (P-14417/93;A-5553)
- 32 Ill. Adm. Code 332 Licensing Requirements for Source Material Milling Facilities (P-10701/93;A-3128)
- 32 Ill. Adm. Code 400 Notices, Instructions & Reports to Workers, Inspection (P-8655/93;A-3132)
- 32 Ill. Adm. Code 390 Particle Accelerators (P-8666/93;A-3143)
- 32 Ill. Adm. Code 350 Radiation Safety Requirements for Industrial Radiographic Operations (P-13882/93;A-7263)
- 32 Ill. Adm. Code 351 Radiation Safety Requirements for Wireline Service Operations and Subsurface Tracer Studies (P-8674/93;A-3344)
- 32 Ill. Adm. Code 320 Registration of Radioactive Material, Radiation Machines, and Radiation Installations (P-8693/93;A-3363)
- 32 Ill. Adm. Code 505 Safe Operation of Nuclear Facility Boilers & Pressure Vessels (P-15220/93;A-2317)
- 32 Ill. Adm. Code 341 Transportation of Radioactive Material (P-13933/93;A-4196)
- 32 Ill. Adm. Code 355 Use of Radionuclides in the Healing Arts (P-20122/93;A-7308)
- 32 Ill. Adm. Code 360 Use of X-Ray in the Healing Arts Including Medical, Dental, Podiatry, and Veterinary Medicine (P-3996)

POLLUTION CONTROL BOARD

- 35 Ill. Adm. Code 211 Definitions & General Provisions (P-12491/93;A-1253)(P-7589)
- 35 Ill. Adm. Code 304 Effluent Standards (P-15223/93;A-267)(P-2560)
- 35 Ill. Adm. Code 620 Groundwater Quality (P-5113)
- 35 Ill. Adm. Code 720 Hazardous Waste Management System: General (P-337;A-6720)(P-6553)
- 35 Ill. Adm. Code 106 Hearings Pursuant to Specific Rules (P-959;A-4230)
- 35 Ill. Adm. Code 721 Identification and Lining of Hazardous Waste (P-357;A-6741)(P-6526)
- 35 Ill. Adm. Code 725 Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities (P-377;A-6771)(P-6568)
- 35 Ill. Adm. Code 728 Land Disposal Restrictions (P-388;A-6799)(C-5013)(P-6535)
- 35 Ill. Adm. Code 203 Major Stationary Sources Construction and Modification (P-18754/93;A-6335)
- 35 Ill. Adm. Code 218 Organic Material Emission Standards & Limitations for the Chicago Area (P-12491/93;A-1945)(P-7602)
- 35 Ill. Adm. Code 219 Organic Material Emission Standards & Limitations for the Metro East Area (P-20203/93;A-4242)(P-7618)
- 35 Ill. Adm. Code 105 Permits (16366/93;A-4244)

ILLINOIS REGISTER
CUMULATIVE INDEX

Vol. 18, Issue #21 **May 27, 1994**

(Pollution Control Board, cont.)

35 Ill. Adm. Code 201 Permits & General Provisions (P-7636)
35 Ill. Adm. Code 732 Petroleum Underground Storage Tanks (P-5403)
35 Ill. Adm. Code 611 Primary Drinking Water Standards (P-7642)
35 Ill. Adm. Code 813 Procedural Requirements for Permitted Landfills (RQ-12409/93; EC-7501)
35 Ill. Adm. Code 702 RCRA and UIC Permit Programs (P-406; A-6918)
35 Ill. Adm. Code 703 RCRA Permit Program (P-419; A-6898) (P-6580)
35 Ill. Adm. Code 817 Requirements for New Steel and Foundry Industry (P-6246)
35 Ill. Adm. Code 810 Solid Waste Disposal: General Provisions (P-8702/93; A-1268)
35 Ill. Adm. Code 814 Standards for Existing Landfills & Units (P-8714/93; A-1284)
35 Ill. Adm. Code 726 Standards for the Management of Specific Hazardous Waste and Specific Types of Hazardous Waste Management Facilities (P-6600)
35 Ill. Adm. Code 739 Standards for the Management of Used Oil (P-455; A-6931) (C-5017)
35 Ill. Adm. Code 811 Standards for New Solid Waste Landfills (P-8726/93; A-1308) (C-4434) (EC-3021/93; EC-7504)
35 Ill. Adm. Code 724 Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities (P-439; A-6973) (C-5015) (P-6641)
35 Ill. Adm. Code 303 Water Use Designations & Site Specific Water Quality Standards (P-8726/93; A-2981)
35 Ill. Adm. Code 212 Viable & Particulate Matter Emissions (P-967)

PROFESSIONAL REGULATIONS, DEPARTMENT OF

68 Ill. Adm. Code 1175 Barber, Cosmetology, Esthetics, and Nail Technology Act (P-20217/93; A-4856)
68 Ill. Adm. Code 1505 Certified Veterinary Technicians (P-5737)
68 Ill. Adm. Code 1400 Clinical Psychologist Licensing Act (P-2566)
68 Ill. Adm. Code 1470 Clinical Social Work & Social Practice Act (P-8435/93; A-2370)
68 Ill. Adm. Code 1315 III. Occupational Therapy Practice Act (P-590; A-7373)
68 Ill. Adm. Code 1270 III. Occupational Land Surveyor Act of 1989 (P-14550/93; A-5900)
68 Ill. Adm. Code 1465 III. Speech-Language Pathology & Audiology Practice Act (P-7194)
68 Ill. Adm. Code 1283 Marriage and Family Therapy Licensing Act (P-5477)
68 Ill. Adm. Code 1285 Medical Practice Act of 1987 (RQ-21209/93; EC-312)
68 Ill. Adm. Code 1375 Professional Counselor and Clinical Professional Counselor Licensing Act (P-7986)
68 Ill. Adm. Code 1455 Real Estate Appraiser Certificates (P-16379/93; A-2379)
89 Ill. Adm. Code 102 Rights and Responsibilities (P-2602)
68 Ill. Adm. Code 1480 Structural Engineering Licensing Act of 1989 (P-5749)
68 Ill. Adm. Code 1500 Veterinary Medicine and Surgery Practice Act (P-5758)

PUBLIC AID, DEPARTMENT OF

89 Ill. Adm. Code 112 Aid to Families with Dependent Children (P-2753; A-4546) (P-19436/93; A-5909) (P-22247/93; A-6994) (P-7208)
89 Ill. Adm. Code 113 Aid to the Aged, Blind or Disabled (P-13380/93; A-2018) (P-4562) (P-21982/93; A-7759)
89 Ill. Adm. Code 111 Assistance Standards (P-18764/93; A-2029) (P-22262/93; A-7009)
89 Ill. Adm. Code 160 Child Support Enforcement (P-497) (P-12067/93; A-697)
89 Ill. Adm. Code 170 Demonstration Programs (P-19440/93; A-3372)
89 Ill. Adm. Code 149 Diagnosis Related Grouping (DRG) Prospective Payment System (PPS) (P-15243/93; A-3378)
89 Ill. Adm. Code 121 Food Stamps (P-18425/93; A-2033) (P-2178) (E-2509) (P-16405/93; A-3427) (P-4575) (P-6251)
89 Ill. Adm. Code 114 General Assistance (P-19443/93; A-3436) (P-4586) (P-22308/93; A-7390)
89 Ill. Adm. Code 152 Hospital Reimbursement Changes (P-1677) (E-2150)
89 Ill. Adm. Code 148 Hospital Services (P-15291/93; A-3450) (P-5135)
89 Ill. Adm. Code 153 Long Term Care Reimbursement Changes (P-1686) (E-2159)
89 Ill. Adm. Code 120 Medical Assistance Programs (P-13392/93; A-2051) (P-4063) (P-221266/93; A-5934)
89 Ill. Adm. Code 140 Medical Payment (P-18436/93; A-3620) (P-17736/93; A-3620) (P-15444/93; A-4250) (P-4077) (P-4597) (P-5778) (P-18769/93; A-5951)
89 Ill. Adm. Code 147 Reimbursement for Nursing Costs for Geriatric Facilities (P-14803/93; A-2405) (P-18788/93; A-4274)
89 Ill. Adm. Code 117 Reited Program Provisions (P-21138/93; A-3746) (P-22007/93; A-7403)
89 Ill. Adm. Code 102 Rights and Responsibilities (P-15461/93; A-273)

PUBLIC HEALTH, DEPARTMENT OF

77 Ill. Adm. Code 692 AIDS Drug Reimbursement Program (P-12590/93; A-1427)
77 Ill. Adm. Code 598 Allied Health Care Professional Assistance Law (P-3077)
77 Ill. Adm. Code 205 Ambulatory Surgical Treatment Center Licensing Requirements (P-6653)
77 Ill. Adm. Code 665 Child Health Examination Code (P-2697/93; A-4296)

ILLINOIS REGISTER
CUMULATIVE INDEX

Vol. 18, Issue #21 **May 27, 1994**

(Public Health, cont.)

77 Ill. Adm. Code 690 Communicable Disease Control & Immunizations (P-1690)
77 Ill. Adm. Code 635 Family Planning (P-19882/93; A-5969)
77 Ill. Adm. Code 250 Hospital Licensing Requirements (P-46)
77 Ill. Adm. Code 790 Illinois Formula for the Drug Product Selection Program (PR-3202; P-3205) (ER-3755; E-3778)
77 Ill. Adm. Code 596 Illinois Rural Health Code (P-3086)
77 Ill. Adm. Code 350 Intermediate Care for the Developmentally Disabled Facilities Code (P-12104/93; A-1432) (P-4904)
77 Ill. Adm. Code 245 Illinois Home Health Agency Code (P-747/93; A-2414)
77 Ill. Adm. Code 540 Illinois Trauma Center Code (P-12101/93; A-2620)
77 Ill. Adm. Code 845 Lead Poisoning Prevention (P-8021)
77 Ill. Adm. Code 610 Local Health Department Development Grant Rules (P-14824/93; A-4310)
77 Ill. Adm. Code 615 Local Health Protection Grant Rules (P-17798/93; A-4320; PR-17741/93; AR-4317)
77 Ill. Adm. Code 390 Long-term Care for Under Age 22 Facilities Code (P-12128/93; A-1453) (P-4924)
77 Ill. Adm. Code 630 Maternal and Child Health Services Code (P-3069/93; A-4380)
77 Ill. Adm. Code 600 Minimum Qualifications for Personnel Employed by Local Departments Code (P-14806/93; A-4476; PR-14831/93; AR-4422)
77 Ill. Adm. Code 1100 Narrative & Planning Policies (P-12606/93; A-2986)
77 Ill. Adm. Code 1110 Processing, Classification Policies & Review Criteria (P-12593/93; A-2993)
77 Ill. Adm. Code 505 Pregnancy Termination Report Code (P-13631/93; A-533)
77 Ill. Adm. Code 960 Preventive Health & Health Services Block Grant Programs (P-2180)
77 Ill. Adm. Code 960 Preventive Health & Health Services Block Grants PHHS Rules (P-2205)
77 Ill. Adm. Code 547 Regional Ambulance Services Code (P-95; A-6340)
77 Ill. Adm. Code 420 Rules and Regulations to Carry Out Provisions of Titles XVIII and XIX of the Social Security Act Relating to Skilled Nursing and Intermediate Care Facilities (PR-103)
77 Ill. Adm. Code 100 Rules of Practice and Procedure in Administrative Hearings (P-12153/93; A-5980)
77 Ill. Adm. Code 1400 Sale of Bonds (P-4538)
77 Ill. Adm. Code 330 Sheltered Care Facilities Code (P-12188/93; A-1475) (P-4942)
77 Ill. Adm. Code 300 Skilled Nursing & Intermediate Care Facilities Code (P-12205/93; A-1491) (P-4961)
77 Ill. Adm. Code 270 Subacute Care Hospital Demonstration Program Code (P-9654/93; A-2424)
77 Ill. Adm. Code 672 WIC Vendor Management Code (P-12228/93; A-2450)

RACING BOARD, ILLINOIS

11 Ill. Adm. Code 206 Board Meetings (P-112; A-7407)
11 Ill. Adm. Code 208 Charitable Funds (P-115; A-7410)
11 Ill. Adm. Code 510 Claiming Races (P-15790/93; A-2064) (P-5500)
11 Ill. Adm. Code 1405 Clerk of the Scales (P-5503)
11 Ill. Adm. Code 210 Definitions (P-19057/93; A-2072)
11 Ill. Adm. Code 401 Definitions (P-10030/93; A-2087)
11 Ill. Adm. Code 1304 Definitions (P-19033/93; A-2088)
11 Ill. Adm. Code 501 Definitions & Interpretations (P-19040/93; A-2089)
11 Ill. Adm. Code 1401 Definitions & Interpretations (P-19050/93; A-2090)
11 Ill. Adm. Code 1413 Entries, Subscriptions and Declarations (P-5505)
11 Ill. Adm. Code 207 Executive Secretary (P-124; A-7418)
11 Ill. Adm. Code 1313 General License Rules (P-6680)
11 Ill. Adm. Code 204 Hearings and Enforcement Proceedings (P-126; A-7419)
11 Ill. Adm. Code 1411 Jockeys, Apprentice Jockeys, Agency & Vets (P-19892/93; A-2092)
11 Ill. Adm. Code 502 Licensing (P-5508)
11 Ill. Adm. Code 509 Medication (P-2832; A-7428) (P-5795)
11 Ill. Adm. Code 405 Pari-Mutuels (P-2838)
11 Ill. Adm. Code 308 Pick (N) Pools (P-1773; A-7433)
11 Ill. Adm. Code 438 Pick N Wagering Pool (PR-2841; AR-7439)
11 Ill. Adm. Code 1440 Quarter Horse Racing (P-15799/93; A-2098)
11 Ill. Adm. Code 1415 Starting (P-5512)
11 Ill. Adm. Code 311 Superfecta (P-1780; A-7440)
11 Ill. Adm. Code 433 Totalizer Operations (P-1773; A-7443)

REHABILITATION SERVICES, DEPARTMENT OF

89 Ill. Adm. Code 515 Advisory Councils (P-2846)
89 Ill. Adm. Code 688 Illinois-Long-Term Care Partnership Demonstration Program (P-4093)

ILLINOIS REGISTER
CUMULATIVE INDEX

Vol. 18, Issue #21 **May 27, 1994**

(Rehabilitation Services, cont.)

89 Ill. Adm. Code 830 Non-Academic Programs and Policies (P-6267)
89 Ill. Adm. Code 546 Public Use of DORS Facilities (P-1784)
89 Ill. Adm. Code 640 Projects with Industry (P-4097)
89 Ill. Adm. Code 590 Services (P-3106)

REVENUE, DEPARTMENT OF

86 Ill. Adm. Code 430 Bingo License and Tax Act (P-4101)
86 Ill. Adm. Code 435 Charitable Games Act (P-4109)
86 Ill. Adm. Code 100 Income Tax (P-15471/93; A-1510)(P-17861/93; A-2494)(P-21163/93; A-
86 Ill. Adm. Code 500 Motor Fuel Tax (CC-4451)
86 Ill. Adm. Code 750 Payment of Taxes by Electronic Funds Transfer (P-6112)
86 Ill. Adm. Code 432 Pull Tabs and Jar Games Act (P-4117)
86 Ill. Adm. Code 120 Real Estate Transfer Tax (P-1789)
86 Ill. Adm. Code 130 Retailers' Occupation Tax (P-982)(P-15501/93; A-1537)(P-6684)
86 Ill. Adm. Code 140 Service Occupation Tax (P-15515/93; A-1550)
86 Ill. Adm. Code 160 Service Use Tax (P-15522/93; A-1557)
86 Ill. Adm. Code 700 Uniform Penalty & Interest Act (P-16421/93; A-1561)
86 Ill. Adm. Code 150 Use Tax (P-15527/93; A-1584)

SECRETARY OF STATE

14 Ill. Adm. Code 150 Business Corporation Act (P-1793; A-7783)
92 Ill. Adm. Code 1040 Cancellation, Revocation or Suspension of Licenses or Permits (P-1797; A-7447)(P-2608)(P-2853)
92 Ill. Adm. Code 1060 Commercial Driver Training Schools (P-142; A-7788)
23 Ill. Adm. Code 3030 Ill. Library System Act (P-10072/93; A-7452)
92 Ill. Adm. Code 1070 Ill. Safety Responsibility Law (P-2217)
23 Ill. Adm. Code 3070 Illinois State Library Training Program Grants (P-19460/93; A-4981)
92 Ill. Adm. Code 1030 Issuance of Licenses (P-993; A-7478)(P-15803/93; A-1591)
23 Ill. Adm. Code 3040 Literacy Grant Program (P-18441/93; A-4990)
92 Ill. Adm. Code 1001 Procedures and Standards (P-7731; E-7916)
23 Ill. Adm. Code 3060 Public Library Construction Grants (P-18687/93; A-4996)
1 Ill. Adm. Code 100 Rulemaking (P-7087)
14 Ill. Adm. Code 180 Uniform Commercial Code (P-18793/93; A-2101)

STATE FIRE MARSHALL, OFFICE OF

41 Ill. Adm. Code 200 Storage, Transportation, Sale and Use of Liquefied Petroleum (P-22)

STATE POLICE MERIT BOARD, DEPARTMENT

2 Ill. Adm. Code 2050 Public Information, Rulemaking and Organization (A-6019)

STUDENT ASSISTANCE COMMISSION, ILLINOIS

23 Ill. Adm. Code 2771 College Savings Bond Bonus Incentive Grant (Big) Program (P-1006)
23 Ill. Adm. Code 2720 Federal Family Education Loan Program (P-1013)
23 Ill. Adm. Code 2700 General Provisions (P-1037)
23 Ill. Adm. Code 2731 Grant Programs for Dependents of Correctional Officers (P-1054)
23 Ill. Adm. Code 2730 Illinois National Guard Grant Program (P-1058)
23 Ill. Adm. Code 2733 Illinois Veteran Grant (IVG) Program (P-1064)
23 Ill. Adm. Code 2761 Merit Recognition Scholarship (MRS) Program (P-1073)
23 Ill. Adm. Code 2763 Minority Teachers of Ill. (MTI) Scholarship Program (P-1080)
23 Ill. Adm. Code 2762 Paul Douglas Teacher Scholarship Program (P-1089)
23 Ill. Adm. Code 2732 Police Officer/Fire Officer Survivor Grant Program (P-1098)
23 Ill. Adm. Code 2760 State Scholar Program (P-1073)(P-1803)
23 Ill. Adm. Code 2770 Student to Student (STS) Program of Matching Grants (P-1102)

TEACHERS' RETIREMENT SYSTEMS OF THE STATE OF ILLINOIS

80 Ill. Adm. Code 1650 The Administration and Operation of the Teachers' Retirement System (A-22487/93; P-

ILLINOIS REGISTER
CUMULATIVE INDEX

Vol. 18, Issue #21 **May 27, 1994**

TRANSPORTATION, DEPARTMENT OF

92 Ill. Adm. Code 14 Aviation Safety (P-5796)
92 Ill. Adm. Code 177 Carriage by Public Highway (P-21305/93; A-7852)
92 Ill. Adm. Code 700 Continuation in Floodways of Rivers, Lakes & Streams (P-607; E-790; A-8167)
92 Ill. Adm. Code 180 Continuing Qualification & Maintenance of Packaging (P-21310; A-7857)
92 Ill. Adm. Code 397 Driving & Parking (P-13686/93; A-736)
92 Ill. Adm. Code 392 Driving of Motor Vehicles (P-13690/93; A-740)(P-2909)
92 Ill. Adm. Code 600 Employee Commute Options (P-12613/93; A-540)
92 Ill. Adm. Code 708 Floodway Construction in Northeastern Ill. (P-1811)
92 Ill. Adm. Code 171 General Information, Regulations and Definitions (P-21314/93; A-7861)
92 Ill. Adm. Code 172 Hazardous Materials Table and Hazardous Materials (P-21326/93; A-7874)
92 Ill. Adm. Code 395 Hours of Service of Drivers (P-13693/93; A-743)
92 Ill. Adm. Code 396 Inspection, Repair & Maintenance (P-13699/93; A-749)
92 Ill. Adm. Code 440 Minimum Safety Standards for Construction of Type I School Buses (P-6272)
92 Ill. Adm. Code 442 Minimum Safety Standards for Construction of Type II School Buses (P-6304)
92 Ill. Adm. Code 444 Minimum Safety Standards for Construction of School Buses used in Special Education Transportation (P-6318)
92 Ill. Adm. Code 390 Motor Carrier Safety Regs. (P-13986/93; A-754)(P-2912)
92 Ill. Adm. Code 456 Nonscheduled Bus Inspections (P-4126)
44 Ill. Adm. Code 650 Parts & Accessories Necessary for Safe Operation (P-13730/93; A-774)
92 Ill. Adm. Code 107 Prequalification of Contractors & Issuance of Plans & Proposals (P-3208)
92 Ill. Adm. Code 107 Procedures (P-21333/93; A-7881)
92 Ill. Adm. Code 386 Procedures & Enforcement (P-13734/93; A-778)
92 Ill. Adm. Code 391 Qualification of Drivers (P-13739/93; A-783)
92 Ill. Adm. Code 518 Relocation Assistance and Payments Program (P-12628/93; A-283)
92 Ill. Adm. Code 173 Shippers General Requirements for Shipments and Packaging (P-21345/93; A-7895)
92 Ill. Adm. Code 178 Specifications for Packaging (P-21351/93; A-7901)
92 Ill. Adm. Code 179 Specifications for Tank Cars (P-21362/93; A-7912)
92 Ill. Adm. Code 533 Use and Employment of Rest Areas (P-18447/93; A-2625)
92 Ill. Adm. Code 450 Vehicle Inspection Section Hearings (P-7733)

UNIVERSITY OF ILLINOIS, THE BOARD OF TRUSTEES OF

23 Ill. Adm. Code 1300 Certificate of Certified Accountants (P-5515)
89 Ill. Adm. Code 1200 Program Content & Guidelines for Division of Specialized Care for Children (P-7780/93; A-2104)

NOTICE OF PUBLIC HEARINGS

CARNIVAL-AMUSEMENT SAFETY BOARD

56 Ill. Adm. Code 6000; Carnival and Amusement Ride Inspection Law

CHILDREN AND FAMILY SERVICES, DEPARTMENT OF

89 Ill. Adm. Code 408; Licensing Standards for Group Day Care Homes
89 Ill. Adm. Code 406; Licensing Standards for Day Care Homes

PROFESSIONAL REGULATIONS, DEPARTMENT OF

68 Ill. Adm. Code 1375; Professional Counselor and Clinical Professional Licensing Act

PUBLIC HEALTH, DEPARTMENT OF/HEALTH FACILITIES PLANNING BOARD

77 Ill. Adm. Code 830; Structural Pest Control Code

NOTICE OF PUBLIC INFORMATION

AGRICULTURE, DEPARTMENT OF

Animal Diagnostic Laboratory Act

ATTORNEY GENERAL, ILLINOIS

Proposed Consent Decree pursuant to the Comprehensive Environment Response,
Compensation & Liability Act & the Ill. Environmental Protection Act;
Amoco Chemical/Joliet Landfill

BANKS AND TRUST COMPANIES, COMMISSIONER OF	
Notice of Public Meeting of the Illinois Fiduciary Advisory Committee	556
Notice of Public Meeting-State Banking Board of Ill. and the Board of Trustees of the Ill. Bank Examiner's Education Foundation	2528
Notice of Acceptance of an Application; AMBANC Corp., Vincennes, Indiana to Acquire Lincolnland Bancshares, Inc., Casey, Ill.	7511
ENVIRONMENTAL PROTECTION AGENCY	
Listing of Derived Water Criteria	318
INSURANCE, DEPARTMENT OF	
Long-Term Care Partnership Insurance	4464
POLLUTION CONTROL BOARD	
Notice Pursuant to Ill. Rev. Stat. 1991, Ch. 111 1/2, Par. 1007.2(b) [415 ILCS 5/7.2(b)]	3154
PUBLIC AID, DEPARTMENT OF	
Proposed change in Reimbursements to Hospitals under the Medicaid Program	5020
REVENUE, DEPARTMENT OF	
Private Letter Rulings, Illinois Department of Labor Sunshine Act [20 ILCS 2515/1, et seq.]	7028
Index Letter Rulings (Fourth Quarter of 1993)(Income Tax)	7512
Index Letter Rulings (Fourth Quarter of 1993)(ROT)	7552
Index Letter Rulings (First Quarter of 1994)(Income Tax)	7953
NOTICE OF CORRECTIONS	
COMPTROLLER, OFFICE OF	
Ill. Funeral or Burial Funds Act; 38 Ill. Adm. Code 610	8172
LIEUTENANT GOVERNOR, OFFICE OF THE	
Keep Ill. Beautiful Program; 47 Ill. Adm. Code 600	
REVENUE, DEPARTMENT OF	
Index of Letter Rulings (Third Quarter 1993) (ROT)	796
SECRETARY OF STATE	
Ill. Safety Responsibility Law; 92 Ill. Adm. Code 1070	3016
NOTICE OF REQUEST FOR EXPEDITED CORRECTIONS	
POLLUTION CONTROL BOARD	
Procedural Requirements for Permitted Landfills; 35 Ill. Adm. Code 813	3018
Standards for New Solid Waste Landfills; 35 Ill. Adm. Code 811	3021
NOTICE OF EXPEDITED CORRECTIONS	
COMMUNITY COLLEGE BOARD, ILLINOIS	
Administration of the Ill. Public Community Act; 23 Ill. Adm. Code 1501	3027
REGULATORY FLEXIBILITY IMPACT ANALYSIS	
COMMERCE AND COMMUNITY AFFAIRS, DEPARTMENT OF	
2533, 2534, 3037, 3793, 3794, 4466, 6452, 6453, 7068, 7069	
JOINT COMMITTEE ON ADMINISTRATIVE RULES	
AGENDA	
Meeting of January 11, 1994	326
Meeting of February 15, 1994	2535
Meeting of March 22, 1994	
Meeting of April 19, 1994	6023
Meeting of May 17, 1994	7544
SECOND NOTICES RECEIVED	
334, 557, 801, 1658, 2175, 2543, 2668, 3038, 3156, 3795, 4474, 5022, 5365, 5711, 6029, 6188, 6455, 7072, 7552, 7961, 8202	

JOINT COMMITTEE ON ADMINISTRATIVE RULES-STATEMENTS OF OBJECTIONS, SUSPENSIONS, RECOMMENDATIONS, PROHIBITED FINDINGS & APPROVALS	
CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF	
Solicitation for Charitable Payroll Deductions; 80 Ill. Adm. Code 2650, Recommendation	3151
CHILDREN AND FAMILY SERVICES, DEPARTMENT OF	
Licensing Standards for Day Care Homes; 89 Ill. Adm. Code 406, Recommendation	3152
Licensing Standards for Group Day Care Homes; 89 Ill. Adm. Code 408, Recommendation	3153
EMPLOYMENT SECURITY	
Notice, Records, Reports; 56 Ill. Adm. Code 2760, Objection	7070
FINANCIAL INSTITUTIONS	
Schedules of Maximum Rates to be Charged for Check Cashing and Writing of Money Orders by Community and Ambulatory Currency Exchanges; 38 Ill. Adm. Code 130, Withdrawal of Filing Prohibition	7071
EXECUTIVE ORDERS AND PROCLAMATIONS	
94-1 The Illinois Task Force on School-To-Work Transition	1659
94-2 Executive Order Creating The Illinois Commission on Regulatory Review	1661
94-3 Flood Transfer III	2669
94-4 Danville Sewage Treatment Facility	7074
PROCLAMATIONS	
93-553 Financial Literacy for Youth Month	336
93-554 Religious Freedom Day	559
93-555 Franchising Week	559
93-556 Self-Esteem Month	560
94-1 Black Data Processing Associates Day	802
94-2 Sertoma National Heritage Freedom Week	802
94-3 Alcoholism Halfway House Days	803
94-4 Bangladesh Day	803
94-5 Catholic Schools Week	804
94-6 Land Surveyors' Month	804
94-7 Dr. Martin Luther King Jr. Day/Day of Tribute	804
94-8 African-American Unity March Day	2546
94-9 Human Services Week	2546
94-10 Ivan And Ruth Frick Day	2547
94-11 Week of the High Risk Child	2547
94-12 African-American History Month	2548
94-13 Free Enterprise Week	2548
94-14 International Festival Week	2548
94-15 Marina Navritlova Days	2549
94-16 Save A Life Day	2550
94-17 Student Financial Aid Awareness Month	2550
94-18 Self-Esteem Week	2674
94-19 Long-Term Care Administrators Week	2674
94-20 Nursing Home Week	2674
94-21 Kiwanis Week	2675
94-22 AFS Host Family Recognition Week	2675
94-23 Little City Foundation/Chicago Luvabulls Super Bowl Party Day	2676
94-24 National People's Action Take Back Our Streets and Communications Day	2676
94-25 Toughlove Programs Against Violence Month/Day Against Violence	2677
94-26 FFA Week	2677
94-27 Child Passenger Safety Month	2678
94-28 Dr. Carter G. Woodson Day	2679
94-29 Four Chaplains Sunday	2679
94-30 Lithuanian Independence Day	2680
94-31 Seed Month	2680
94-32 Post Anesthesia Nurses Awareness Week	2681
94-33 Dick Heitman Day	2681
94-34 Engineers Week	3040
94-35 Future Business Leaders of America-Phi Lambda Week	3040

94-36	GPWC Waukegan Woman's Club Day	3040
94-37	Manufacturing Week	3041
94-38	Marketing Week	3042
94-39	Multiple Sclerosis Awareness Month	3042
94-40	Nutrition Month	3042
94-41	Reading Is Fun Week	3043
94-42	Tornado Preparedness Week	3043
94-43	Representative Bob Olson Day	3044
94-44	Doctor's Day	3157
94-45	African American Contractors Day	3157
94-46	American Red Cross Month	3157
94-47	Chicago Academy for the Arts 5th Annual Desert Classic Day	3158
94-48	Chronic Fatigue Syndrome Awareness Month	3159
94-49	National American Business Club Month	3159
94-50	School Breakfast Week	3160
94-51	School Social Work Week	3161
94-52	Denim Day	3162
94-53	Dental Assistants Recognition Week	3162
94-54	Employ The Older Worker Week	3797
94-55	Breastfeeding Promotion Month	3797
94-56	Herman M. Finch Day	3797
94-57	Music Education Day At The Capitol	3798
94-58	Carmedas Day	3798
94-59	DuPage Symphony Orchestra Day	3799
94-60	Eye Donor Awareness Month	3800
94-61	Southern Illinois University Quascentennial Day	3800
94-62	Apprenticeship Week	4475
94-63	Building Safety Week	4475
94-64	Greek Independence Day	4476
94-65	Malcolm X College Career Expo Day	4476
94-66	Professional Social Workers Month	4477
94-67	Casimir Pulaski Day	4477
94-68	Alcohol Awareness Month/Illinois State Youth Forum Day	4478
94-69	Certified Nurse Assistant Day	4478
94-70	Curtis Mayfield Day	4479
94-71	Licensed Practical Nurse Week	4480
94-72	Long-Term Care Nurses Week	4480
94-73	Volunteer Week	4481
94-74	Youth Art Month	4481
94-75	Parents Inservice Conference Days	4482
94-76	Bob Leininger Day	5024
94-77	Casimir Pulaski Day (Revised)	5024
94-78	Chicago Opportunity Days	5025
94-79	Mental Retardation And SPARC Awareness Month	5025
94-80	Tree City USA Month	5026
94-81	Agriculture Day	5367
94-82	Tibetan Day	5367
94-83	Violence Prevention Month	5368
94-84	Bicycle Helmet and Safety Awareness Week	5368
94-85	Free Paper Week	5368
94-86	VA West Side Medical Center Women's History Month	5369
94-87	Camp Fire Boys and Girls Day	5369
94-88	Chicago Latino Film Festival Days	5370
94-89	Student Council Week	5370
94-90	U.S. Savings Bond Campaign Month	5712
94-91	High Blood Pressure and Stroke Awareness Month	5712
94-92	Irish American Heritage Month	5713
94-93	Youth Temperance Education Week	5713
	Arbor Day in Palos Heights	5713

94-94	Federal Employee of the Year Day	5714
94-95	Henrietta Sisk Day	5714
94-96	Lake and Watercraft Management Month	5715
94-97	Medical Laboratory Week	5716
94-98	Motorcycle Awareness Month	5716
94-99	Nurses: The Heart of the Health Care Team Day	5717
94-100	Public Health Month	5717
94-101	Rural Electric and Telephone Youth Day	5718
94-102	Student-Athlete Day	5718
94-103	Call Before You Dig Month	6031
94-104	Continuity Of Care Week	6031
94-105	D.A.R.E. Day	6032
94-106	Illinois Community College Month	6032
94-107	Sexual Assault Awareness Month	6033
94-108	STD Awareness Month	6033
94-109	Women's Federation For World Peace Days	6034
94-110	American Association for Affirmative Action Days	6034
94-111	Illinois State Quartet Convention Week	6035
94-112	Probation Officer Day	6035
94-113	Professional Secretaries Week/Professional Secretaries Day	6036
94-114	Saving Month	6036
94-115	Soccer In The Street Day	6036
94-116	Telecommunicator Week	6037
94-117	Infant Immunization Week	6037
94-118	Neural Resources Stewardship Month	6038
94-119	Holocaust Commemoration Month	6190
94-120	Illinois Cancer Pain Awareness Week	6190
94-121	Emergency Medical Services Week	6190
94-122	Home Safety Week	6191
94-123	Manufactured Housing Month	6191
94-124	Month of the Young Child	6192
94-125	Organ And Tissue Donor Awareness Week	6193
94-126	Queen Isabella Day	6193
94-127	Week of the Young Child	6194
94-128	Harry Caray Day	6194
94-129	Logistics Week	6195
94-130	AIDS Awareness Day/AIDS Walk Springfield Day	6195
94-131	American POW Recognition Day	6196
94-132	James S. Kemper, Jr. Day	6196
94-133	Jewish Cultural Week	6197
94-134	Pakistan Day	6197
94-135	Purple Bows For Cancer's 2nd Introduction Day	6198
94-136	Chicago Youth Symphony Orchestra Day	6198
94-137	Crime Victims Rights Week	6199
94-138	Holocaust Commemoration Month (Revised)	6199
94-139	Israel Independence Day	6200
94-140	Louis B. Kuhn Day	6200
94-141	Tufts's Week	6201
94-142	Disaster Area-Douglas County	6457
94-143	Disaster Area-Calhoun, Green and Jersey Counties	6457
94-144	Disaster Exits Within State of Illinois	6458
94-145	Disaster Area-Alexander, Cass, Menard, Sangamon, Dewitt and Vermillion Counties	6459
94-146	Anthony M. Tortorello Day	6459
94-147	Dave and Linda Kindernay Day	6460
94-148	Design/Drafting Week	6460
94-149	Harold Washington Day	6461
94-150	Illinois Eye Fund/UIC Eye Center Day	6461
94-151	Medical Assistants Week	6462
	Year of the Conger Expedition	6462

94-152	Youth Service Day	6463
94-153	Chicago Coin Club Day	6463
94-154	Child Abuse Prevention Services Day	6464
94-155	Keep America Beautiful Month	6464
94-156	Seth Ira Stearns Day	6465
94-157	Girl Scout Leaders Day	7075
94-158	Disaster Area-Champaign and Inojouis Counties	
94-159	Christian Heritage Week	7075
94-160	Darryl Hartley-Leonard and Hyatt Hotels Corporation Day	7076
94-161	Scientific Literacy Week	7077
94-162	E.M. (Buck) Chastain Day	7078
94-163	Groundwater Protection Month	7078
94-164	Monignor Edward J. Duncan Day	7079
94-165	Smiles for Little City Days	7079
94-166	George Hovance Appreciation Day	7080
94-167	Kim Deakins, Janelle King and Mary Murphy Day	7080
94-168	Suicide Prevention Week/Survivors of Suicide Day	7081
94-169	Day of Prayer	7081
94-170	James M. Bailey Day	7081
94-171	Chicago Commons Month	7082
94-172	Charleston Area Senior Center Day	7083
94-173	Community Banking Week	7083
94-174	Correctional Officer Week	7084
94-175	Dyslexia/Learning Disabilities Month	7084
94-176	Home Education Week	7085
94-177	Matoon Area Senior Center Day	7085
94-178	Zion Missionary Baptist Day	7086
94-179	Disaster Areas - Madison, Madon, Monroe, Platt and St. Clair Counties	7963
94-180	Better Hearing and Speech Month	7963
94-181	Bike Month	7964
94-182	Cyotechnology Day	7964
94-183	Drinking Water Week	7965
94-184	George Tammings Day	7965
94-185	Holy Name of Mary Parish Women's Day	7966
94-186	Law Day	7966
94-187	Mathematics Awareness Week	7967
94-188	Metropolitan Pier and Exposition Authority Employee Longevity Day	7967
94-189	Mother of the Year Day	7968
94-190	Nurses Week	7969
94-191	Older Americans Month	7970
94-192	Public Service Recognition Day	7971
94-193	Children's Emotional and Behavioral Disorders Awareness Week	7971
94-194	Illinois Small Business Week	7972
94-195	Hadassah Days	7972
94-196	Family Service DuPage Day	7973
94-197	Life Insurance Week	7973
94-198	South Holland Centennial Day/South Holland Centennial Month	7973
94-199	Asian Pacific American Heritage Month	7974
94-200	Dr. Joseph C. Dalpiaz Day	7975
92-201	Foster Parent Appreciation Month	7975
92-202	Polish Constitution Day	7976
94-203	Women in Trades Career Day	7976
94-204	Illinois State Chamber of Commerce/75th Anniversary Year	7977
94-205	Loyalty Day	7978
94-206	Music Week	7978
94-207	RP Awareness Day	7979
94-208	Chicago Crime Commission Day	7979
94-209	Eugene E. Linger Day	7980
94-210	National Association of Women Business Owners Public Affairs Day	7980

94-211	Physical Fitness and Sports Month/Physical Education and Sports Week	7981
94-212	Project Acea Day	7982
94-213	Cambodian Culture Days	7982
94-214	Gene Siekel Day	7983
94-215	Kantorei Week	7984
94-216	React Month	7985
94-217	Women Lawyers' Day	8204
94-218	Arts Week	8204
94-219	Rodney Club of Oak Park Day	8205
94-220	SCORE DAY	8205
94-221	A.J. Baggio Day	8206
94-222	D.A.R.E. Family Night with the Cardinals	8207
94-223	Howard A. Peters III Day	8208
94-224	Mother's Day	8209
94-225	Palos Heights Public Library Day	8209
94-226	Planet Illinois Day	8210
94-227	Gateway Foundation Day	8210
94-228	Legacy Foundation Day	8211
94-229	National Association of Insurance Women's Week	8211
94-230	Surgical Technologists Week	8212
94-231	World Cup Education Month/World Cup Daus	8213
94-232	Child Support Awareness Month	8213
94-233	Electrical Safety Month	8213
94-234	Highland Community College Collegiate Choir Day	8214
94-235	Telephone Operators Week at Illinois Masonic Medical Center	8214
94-236	Alan F. Quous Day	8214
94-237	CPA Day	8215
94-238	Maritime Day	8215
94-239	Railroad Women's Day	8216
94-240	Tourism Day	8216
94-241	Transportation Day	8217
94-242	Buckle-Up America Month	8218
94-243	Dr. William Hill Day	8218
94-244	Stamp Collecting Week	8218

This Sections Affected Index lists, by title, each Section of a Part on which Rule Making has occurred in this volume (calendar year) of the Illinois Register. The columns indicate the type of rulemaking activity and the action taken along with the page number on which the first page of the notice of rulemaking activity appeared. If a Section on which action is being taken in the current volume of the Register is proposed in a previous volume, the last two digits of the previous volume's year appear immediately after the page number separated by a slash. (e.g., 11 Ill. Adm. Code 465.115 was proposed last year and adopted this year. The action entry reads: (P-15655/93; A-6520). The codes are listed below.

TYPE OF RULE MAKING		ACTION CODE	
am = amend to existing Section	A = Adopted Rule	PF = Prohibited Filing	
cc = codification changes	E = Emergency	S = Suspension	
n = New section	P = Proposed Rule	O = JCAR Objection	
r = repeal of existing Section	PP = Peremptory	F = Failure to Remedy Objections	
re = reclassified	M = Modification	Object	
# = renumbered	W = Withdrawl	RC = Recommendations	
	CC = Codification Changes	EC = Expedited Correction	
	RQ = Request for Correction	C = Correction	

1994	100.670	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.680	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.710	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.735	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.740	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.810	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.815	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.820	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.900	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.100	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.102	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.103	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.110	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.111	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.112	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.113	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.114	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.115	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.120	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.125	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.130	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.315	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.330	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.335	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.390	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.400	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.410	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.430	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.450	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.500	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.510	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.530	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.540	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.545	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.550	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.600	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.610	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.640	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.655	am	(P-7087)	am	(P-13307/93.A-4758)	
	100.660	am	(P-7087)	am	(P-13307/93.A-4758)	

230.900	am	(P-13223/93.A-1233)	
230.1000	am	(P-13223/93.A-1233)	
230.Ex.A	am	(P-13223/93.A-1233)	
230.Ex.B	am	(P-13223/93.A-1233)	
230.Ex.C	am	(P-13223/93.A-1233)	
230.Ex.D	am	(P-13223/93.A-1233)	
230.Ex.E	am	(P-13223/93.A-1233)	
230.Ex.F	am	(P-13223/93.A-1233)	
240.	re	(CC-7493)	
240.100	am	(P-13284/93.A-4745)	
240.200	am	(P-13284/93.A-4745)	
240.300	am	(P-13284/93.A-4745)	
240.400	am	(P-13284/93.A-4745)	
240.500	am	(P-13284/93.A-4745)	
240.600	am	(P-13284/93.A-4745)	
240.700	am	(P-13284/93.A-4745)	
240.800	am	(P-13284/93.A-4745)	
240.900	am	(P-13284/93.A-4745)	
240.1000	am	(P-13284/93.A-4745)	
245.	re	(CC-7436)	
245.100	am	(P-13248/93.A-4720)	
245.110	am	(P-13248/93.A-4720)	
245.130	am	(P-13248/93.A-4720)	
245.140	am	(P-13248/93.A-4720)	
245.Ex.A	am	(P-13248/93.A-4720)	
245.Ex.B	am	(P-13248/93.A-4720)	
250.300	am	(P-13257/93.A-4728)	
250.300	am	(P-13257/93.A-4728)	
250.400	am	(P-13257/93.A-4728)	
250.500	am	(P-13257/93.A-4728)	
250.600	am	(P-13257/93.A-4728)	
250.700	am	(P-13257/93.A-4728)	
250.800	am	(P-13257/93.A-4728)	
250.900	am	(P-13257/93.A-4728)	
250.1000	am	(P-13257/93.A-4728)	
250.1200	am	(P-13257/93.A-4728)	
250.1300	am	(P-13257/93.A-4728)	
250.1400	am	(P-13257/93.A-4728)	
250.1500	am	(P-13257/93.A-4728)	
250.1600	am	(P-13257/93.A-4728)	
250.1700	am	(P-13257/93.A-4728)	
250.1800	am	(P-13257/93.A-4728)	
250.1900	am	(P-13257/93.A-4728)	
250.2000	am	(P-13257/93.A-4728)	
250.2100	am	(P-13257/93.A-4728)	
250.2200	am	(P-13257/93.A-4728)	
255.10	n	(E-3559)	
255.20	n	(CC-7595)	
260.100	am	(P-13233/93.A-4705)	
260.200	am	(P-13233/93.A-4705)	
260.300	am	(P-13233/93.A-4705)	
260.400	am	(P-13233/93.A-4705)	
260.500	am	(P-13233/93.A-4705)	
260.600	am	(P-13233/93.A-4705)	
260.650	am	(P-13233/93.A-4705)	
260.700	am	(P-13233/93.A-4705)	
260.800	am	(P-13233/93.A-4705)	
260.900	am	(P-13233/93.A-4705)	
260.1000	am	(P-13233/93.A-4705)	
260.1100	am	(P-13233/93.A-4705)	
260.1200	am	(P-13233/93.A-4705)	
260.1300	am	(P-13233/93.A-4705)	
260.1400	am	(P-13233/93.A-4705)	
260.1500	am	(P-13233/93.A-4705)	
260.1600	am	(P-13233/93.A-4705)	
260.1700	am	(P-13233/93.A-4705)	
260.1800	am	(P-13233/93.A-4705)	
260.1900	am	(P-13233/93.A-4705)	
260.2000	am	(P-13233/93.A-4705)	
260.2100	am	(P-13233/93.A-4705)	
260.2200	am	(P-13233/93.A-4705)	
260.2300	am	(P-13233/93.A-4705)	
260.2400	am	(P-13233/93.A-4705)	
260.2500	am	(P-13233/93.A-4705)	
260.2600	am	(P-13233/93.A-4705)	
260.2700	am	(P-13233/93.A-4705)	
260.2800	am	(P-13233/93.A-4705)	
260.2900	am	(P-13233/93.A-4705)	
260.3000	am	(P-13233/93.A-4705)	
260.3100	am	(P-13233/93.A-4705)	
260.3200	am	(P-13233/93.A-4705)	
260.3300	am	(P-13233/93.A-4705)	
260.3400	am	(P-13233/93.A-4705)	
260.3500	am	(P-13233/93.A-4705)	
260.3600	am	(P-13233/93.A-4705)	
260.3700	am	(P-13233/93.A-4705)	
260.3800	am	(P-13233/93.A-4705)	
260.3900	am	(P-13233/93.A-4705)	
260.4000	am	(P-13233/93.A-4705)	
260.4100	am	(P-13233/93.A-4705)	
260.4200	am	(P-13233/93.A-4705)	
260.4300	am	(P-13233/93.A-4705)	
260.4400	am	(P-13233/93.A-4705)	
260.4500	am	(P-13233/93.A-4705)	
260.4600	am	(P-13233/93.A-4705)	
260.4700	am	(P-13233/93.A-4705)	
260.4800	am	(P-13233/93.A-4705)	
260.4900	am	(P-13233/93.A-4705)	
260.5000	am	(P-13233/93.A-4705)	
260.5100	am	(P-13233/93.A-4705)	
260.5200	am	(P-13233/93.A-4705)	
260.5300	am	(P-13233/93.A-4705)	
260.5400	am	(P-13233/93.A-4705)	
260.5500	am	(P-13233/93.A-4705)	
260.5600	am	(P-13233/93.A-4705)	
260.5700	am	(P-13233/93.A-4705)	
260.5800	am	(P-13233/93.A-4705)	
260.5900	am	(P-13233/93.A-4705)	
260.6000	am	(P-13233/93.A-4705)	
260.6100	am	(P-13233/93.A-4705)	
260.6200	am	(P-13233/93.A-4705)	
260.6300	am	(P-13233/93.A-4705)	
260.6400	am	(P-13233/93.A-4705)	
260.6500	am	(P-13233/93.A-4705)	
260.6600	am	(P-13233/93.A-4705)	
260.6700	am	(P-13233/93.A-4705)	
260.6800	am	(P-13233/93.A-4705)	
260.6900	am	(P-13233/93.A-4705)	
260.7000	am	(P-13233/93.A-4705)	
260.7100	am	(P-13233/93.A-4705)	
260.7200	am	(P-13233/93.A-4705)	
260.7300	am	(P-13233/93.A-4705)	
260.7400	am	(P-13233/93.A-4705)	
260.7500	am	(P-13233/93.A-4705)	
260.7600	am	(P-13233/93.A-4705)	
260.7700	am	(P-13233/93.A-4705)	
260.7800	am	(P-13233/93.A-4705)	
260.7900	am	(P-13233/93.A-4705)	
260.8000	am	(P-13233/93.A-4705)	
260.8100	am	(P-13233/93.A-4705)	
260.8200	am	(P-13233/93.A-4705)	
260.8300	am	(P-13233/93.A-4705)	
260.8400	am	(P-13233/93.A-4705)	
260.8500	am	(P-13233/93.A-4705)	
260.8600	am	(P-13233/93.A-4705)	
260.8700	am	(P-13233/93.A-4705)	
260.8800	am	(P-13233/93.A-4705)	
260.8900	am	(P-13233/93.A-4705)	
260.9000	am	(P-13233/93.A-4705)	
260.9100	am	(P-13233/93.A-4705)	
260.9200	am	(P-13233/93.A-4705)	
260.9300	am	(P-13233/93.A-4705)	
260.9400	am	(P-13233/93.A-4705)	
260.9500	am	(P-13233/93.A-4705)	
260.9600	am	(P-13233/93.A-4705)	
260.9700	am	(P-13233/93.A-4705)	
260.9800	am	(P-13233/93.A-4705)	
260.9900	am	(P-13233/93.A-4705)	
260.10000	am	(P-13233/93.A-4705)	

ILLINOIS REGISTER

May 27, 1994

Volume 18, Issue #21

SECTIONS AFFECTED INDEX

TITLE 11, cont.)

(P-5394)

590.40

am

(P-5065)

1050.30

am

(P-16285/93,A-1142)

(P-5394)

590.50

am

(P-5065)

1050.40

am

(P-16285/93,A-1142)

(P-5394)

590.60

am

(P-5065)

1070.80

am

(P-1,A-5838)

(P-5394)

590.70

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

590.80

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

590.90

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

591.00

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

591.10

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

591.20

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

591.30

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

591.40

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

591.50

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

591.60

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

591.70

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

591.80

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

591.90

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

592.00

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

592.10

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

592.20

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

592.30

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

592.40

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

592.50

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

592.60

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

592.70

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

592.80

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

592.90

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

593.00

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

593.10

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

593.20

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

593.30

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

593.40

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

593.50

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

593.60

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

593.70

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

593.80

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

593.90

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

594.00

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

594.10

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

594.20

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

594.30

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

594.40

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

594.50

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

594.60

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

594.70

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

594.80

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

594.90

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

595.00

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

595.10

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

595.20

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

595.30

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

595.40

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

595.50

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

595.60

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

595.70

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

595.80

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

595.90

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

596.00

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

596.10

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

596.20

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

596.30

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

596.40

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

596.50

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

596.60

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

596.70

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

596.80

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

596.90

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

597.00

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

597.10

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

597.20

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

597.30

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

597.40

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

597.50

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

597.60

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

597.70

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

597.80

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

597.90

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

598.00

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

598.10

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

598.20

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

598.30

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

598.40

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

598.50

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

598.60

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

598.70

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

598.80

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

598.90

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

599.00

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

599.10

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

599.20

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

599.30

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

599.40

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

599.50

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

599.60

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

599.70

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

599.80

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

599.90

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

600.00

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

600.10

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

600.20

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

600.30

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

600.40

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

600.50

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

600.60

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

600.70

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

600.80

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

600.90

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

601.00

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

601.10

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

601.20

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

601.30

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

601.40

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

601.50

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

601.60

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

601.70

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

601.80

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

601.90

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

602.00

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

602.10

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

602.20

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

602.30

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

602.40

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

602.50

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

602.60

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

602.70

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

602.80

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

602.90

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

603.00

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

603.10

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

603.20

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

603.30

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

603.40

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

603.50

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

603.60

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

603.70

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

603.80

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

603.90

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

604.00

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

604.10

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

604.20

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

604.30

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

604.40

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

604.50

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

604.60

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

604.70

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

604.80

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

604.90

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

605.00

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

605.10

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

605.20

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

605.30

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

605.40

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

605.50

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

605.60

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

605.70

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

605.80

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

605.90

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

606.00

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

606.10

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

606.20

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

606.30

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

606.40

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

606.50

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

606.60

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

606.70

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

606.80

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

606.90

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

607.00

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

607.10

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

607.20

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

607.30

am

(P-5065)

1070.90

am

(P-3821)

(P-5394)

607.40

am

(P-5065)

1070.90

SAI-4

Volume 18, Issue #21

ILLINOIS REGISTER

SECTIONS AFFECTED INDEX

May 27, 1994

(Title & cont.)		am		am		r	
125.380		(P-3809)(P-1891793;	100.210	am	(P-20094.93.A.4811)	501.20	am
	A.4621	(E-2164)	100.240	am	(P-20094.93.A.4811)	502.500	am
125.390		(P-14286/93; A-205)	100.260	am	(P-20094.93.A.4811)	509.95	am
257.10		(P-14286/93; A-205)	100.280	am	(P-20094.93.A.4811)	509.220	am
257.20		(P-14286/93; A-205)	100.300	am	(P-20094.93.A.4811)	509.220	am
257.30		(P-14286/93; A-205)	100.310	am	(P-20094.93.A.4811)	510.10	am
257.40		(P-14286/93; A-205)	100.320	am	(P-20094.93.A.4811)	510.20	am
257.50		(P-14286/93; A-205)	100.330	am	(P-20094.93.A.4811)	510.30	am
257.60		(P-14286/93; A-205)	100.340	am	(P-20094.93.A.4811)	510.40	am
257.70		(P-14286/93; A-205)	100.350	am	(P-20094.93.A.4811)	510.60	am
257.80		(P-14286/93; A-205)	100.360	am	(P-20094.93.A.4811)	510.120	am
257.90		(P-14286/93; A-205)	100.370	am	(P-20094.93.A.4811)	510.130	am
257.100		(P-14286/93; A-205)	100.380	am	(P-20094.93.A.4811)	510.150	am
270.10		(P-3164)	204.10	am	(P-126.A.7419)	510.160	am
270.15		(P-3164)	204.20	am	(P-126.A.7419)	510.170	am
270.20		(P-3164)	204.30	am	(P-126.A.7419)	510.180	am
270.35		(P-3164)	204.40	am	(P-126.A.7419)	510.200	am
270.40		(P-3164)	204.50	am	(P-126.A.7419)	510.230	am
270.50		(P-3164)	204.60	am	(P-126.A.7419)	510.240	am
270.60		(P-3164)	204.70	am	(P-126.A.7419)	1304.10	am
270.75		(P-3164)	204.80	am	(P-126.A.7419)	1313.60	am
270.85		(P-3164)	204.90	am	(P-126.A.7419)	1401.20	am
270.90		(P-3164)	204.100	am	(P-126.A.7419)	1401.20	am
270.95		(P-3164)	204.110	am	(P-126.A.7419)	1401.25	am
270.130		(P-3164)	204.120	am	(P-126.A.7419)	1401.30	am
270.135		(P-3164)	204.130	am	(P-126.A.7419)	1401.40	am
270.140		(P-3164)	206.10	am	(P-112.A.7407)	1401.50	am
270.150		(P-3164)	206.20	am	(P-112.A.7407)	1401.60	am
270.165		(P-3164)	206.30	am	(P-112.A.7407)	1401.64	am
270.170		(P-3164)	207.40	am	(P-124.A.7418)	1401.67	am
270.180		(P-3164)	208.10	am	(P-115.A.7410)	1401.70	am
270.		(P-3164)	208.20	am	(P-115.A.7410)	1401.80	am
270.205		(P-3164)	208.30	am	(P-115.A.7410)	1401.90	am
270.210		(P-3164)	208.40	am	(P-115.A.7410)	1401.100	am
270.221		(P-3164)	208.100	am	(P-115.A.7410)	1401.110	am
270.230		(P-3164)	208.110	am	(P-115.A.7410)	1401.120	am
270.235		(P-3164)	208.120	am	(P-115.A.7410)	1401.130	am
270.240		(P-3164)	210.10	am	(P-19057/93.A.2072)	1401.140	am
270.245		(P-3164)	308.10	am	(P-1773.A.7433)	1401.150	am
270.261		(P-3164)	308.20	am	(P-1773.A.7433)	1401.160	am
270.280		(P-3164)	308.30	am	(P-1773.A.7433)	1401.170	am
270.320		(P-3164)	308.40	am	(P-1773.A.7433)	1401.180	am
270.365		(P-3164)	308.50	am	(P-1773.A.7433)	1405.100	am
270.371		(P-3164)	308.60	am	(P-1773.A.7433)	1411.240	am
270.395		(P-3164)	308.70	am	(P-1773.A.7433)	1413.510	am
270.480		(P-3164)	308.80	am	(P-1773.A.7433)	1415.280	am
270.510		(P-3164)	308.90	am	(P-1773.A.7433)	1440.10	am
270.540		(P-3164)	311.10	am	(P-1780.A.7440)	1440.20	am
270.625		(P-3164)	311.20	am	(P-1780.A.7440)	1440.30	am
270.685		(P-3164)	311.30	am	(P-1780.A.7440)	1440.40	am
600.300		(E-4426)	311.40	am	(P-1780.A.7440)	1440.50	am
600.320		(E-4426)	401.10	am	(P-10030/93.A.2087)	1440.60	am
			405.90	am	(P-3838)	1440.70	am
			405.120	am	(P-3838)	1440.80	am
TITLE 11			433.45	am	(P-137.A.7443)	1700.10	am
100.5		(P-20094.93.A.4811)	438.20	am	(P-2841.A.7439)	1700.30	am
100.10		(P-20094.93.A.4811)	438.10	am	(P-2841.A.7439)	1700.40	am
100.20		(P-20094.93.A.4811)	438.20	am	(P-2841.A.7439)	1700.50	am
100.50		(P-20094.93.A.4811)	438.35	am	(P-2841.A.7439)	1700.80	am
100.60		(P-20094.93.A.4811)	438.40	am	(P-2841.A.7439)	1700.110	am
100.70		(P-20094.93.A.4811)	438.50	am	(P-2841.A.7439)	1700.120	am
100.90		(P-20094.93.A.4811)	438.60	am	(P-2841.A.7439)	1700.140	am
100.120		(P-20094.93.A.4811)	438.70	am	(P-2841.A.7439)	1700.150	am
100.130		(P-20094.93.A.4811)	438.80	am	(P-2841.A.7439)	1700.160	am
100.150		(P-20094.93.A.4811)	438.90	am	(P-2841.A.7439)	1700.170	am
100.160		(P-20094.93.A.4811)	438.100	am	(P-2841.A.7439)	1700.180	am
100.170		(P-20094.93.A.4811)	501.10	am	(P-1904C.A.2089)		am

SAI-3

ILLINOIS REGISTER

Volume 18, Issue #21

May 27, 1994

Volume 18. Issue #21

INDEX

May 27, 1994

[illegible]

SAI-7

SAI-8

[Title 35, cont.]	106.923	n	(P-16355/93.A-4230)	218.108	em	(P-12491/93.A-1945)	370.000	re	(A-6375)
	106.924	n	(P-16355/93.A-4230)	218.112	em	(P-12491/93.A-1945)	370.010	re	(A-6375)
	106.925	n	(P-16355/93.A-4230)	218.114	em	(P-12491/93.A-1945)	370.020	re	(A-6375)
	106.930	n	(P-8959)	218.402	n	(P-12491/93.A-1945)	370.710	re	(A-6375)
	106.931	n	(P-8959)	218.403	em	(P-12491/93.A-1945)	370.720	re	(A-6375)
	106.932	n	(P-8959)	218.602	em	(P-12491/93.A-1945)	370.730	re	(A-6375)
	106.933	n	(P-8959)	218.611	em	(P-12491/93.A-1945)	370.740	re	(A-6375)
	106.934	n	(P-8959)	218.620	em	(P-12491/93.A-1945)	370.750	re	(A-6375)
	184.100	n	(P-4)	218.623	r	(P-12491/93.A-1945)	370.800	re	(A-6375)
	184.101	n	(P-4)	218.660	n	(P-12491/93.A-1945)	370.810	re	(A-6375)
	184.102	n	(P-4)	218.667	em	(P-12491/93.A-1945)	370.820	re	(A-6375)
	184.103	n	(P-4)	218.668	n	(P-12491/93.A-1945)	370.840	re	(A-6375)
	184.104	n	(P-4)	218.669	n	(P-12491/93.A-1945)	370.860	re	(A-6375)
	184.105	n	(P-4)	218.670	n	(P-12491/93.A-1945)	370.870	re	(A-6375)
	184.106	n	(P-4)	218.680	n	(P-12491/93.A-1945)	370.900	re	(A-6375)
	184.200	n	(P-4)	218.682	n	(P-12491/93.A-1945)	370.910	re	(A-6375)
	184.201	n	(P-4)	218.688	n	(P-12491/93.A-1945)	370.920	re	(A-6375)
	184.202	n	(P-4)	218.689	n	(P-12491/93.A-1945)	370.930	re	(A-6375)
	184.204	n	(P-4)	218.692	n	(P-12491/93.A-1945)	370.940	re	(A-6375)
	184.205	n	(P-4)	218.693	em	(P-12491/93.A-1945)	370.950	re	(A-6375)
	184.206	n	(P-4)	218.694	em	(P-12491/93.A-1945)	370.1000	re	(A-6375)
	184.207	n	(P-4)	218.695	em	(P-12491/93.A-1945)	370.1010	re	(A-6375)
	184.300	n	(P-4)	218.943	em	(P-12491/93.A-1945)	370.1040	re	(A-6375)
	184.301	n	(P-4)	218.944	em	(P-12491/93.A-1945)	370.1050	re	(A-6375)
	184.302	n	(P-4)	218.946	em	(P-12491/93.A-1945)	370.1060	re	(A-6375)
	184.400	n	(P-4)	218.963	r	(P-12491/93.A-1945)	370.1070	re	(A-6375)
	184.403	n	(P-4)	218.966	n	(P-12491/93.A-1945)	370.1080	re	(A-6375)
	184.404	n	(P-4)	218.980	em	(P-12491/93.A-1945)	370.1100	re	(A-6375)
	184.500	n	(P-4)	218.983	em	(P-12491/93.A-1945)	370.1110	re	(A-6375)
	184.501	n	(P-4)	218.986	em	(P-12491/93.A-1945)	370.1120	re	(A-6375)
	184.502	n	(P-4)	218.991	em	(P-12491/93.A-1945)	370.1130	re	(A-6375)
	184.503	n	(P-4)	219.112	em	(P-7618)	370.1200	re	(A-6375)
	184.504	n	(P-4)	219.113	em	(P-7618)	370.1210	re	(A-6375)
	184.505	n	(P-4)	219.593	em	(P-7618)	370.1220	re	(A-6375)
	184.506	n	(P-4)	219.595	em	(P-7618)	370.1230	re	(A-6375)
	201.302	em	(P-7639)	219.596	em	(P-8295/93.A-4242)	370.66 A	re	(A-6375)
	203.708	em	(P-16754/93.A-6335)	303.410	em	(P-12491/93.A-1981)	370.66 C	re	(A-6375)
	211.170	n	(P-2491/93.A-1253)	304.213	em	(P-15223/93.A-2671)	370.66 D	re	(A-6375)
	211.1070	n	(P-2491/93.A-1253)	370.100	re	(A-6375)	370.66 E	re	(A-6375)
	211.2030	n	(P-2491/93.A-1253)	370.200	re	(A-6375)	370.66 F	re	(A-6375)
211.2610	n	(P-2491/93.A-1253)	370.210	re	(A-6375)	370.66 H	re	(A-6375)	
211.3950	n	(P-2491/93.A-1253)	370.220	re	(A-6375)	372.100	n	(P-4524)	
211.4050	em	(P-2491/93.A-1253)	370.230	re	(A-6375)	372.110	n	(P-4524)	
211.4830	n	(P-2491/93.A-1253)	370.240	re	(A-6375)	372.200	n	(P-4524)	
211.4850	n	(P-2491/93.A-1253)	370.250	re	(A-6375)	372.210	n	(P-4524)	
211.4970	n	(P-2491/93.A-1253)	370.260	re	(A-6375)	372.220	n	(P-4524)	
211.5060	n	(P-7589)	370.300	re	(A-6375)	372.230	n	(P-4524)	
211.5390	n	(P-2491/93.A-1253)	370.340	re	(A-6375)	372.240	n	(P-4524)	
211.5530	n	(P-2491/93.A-1253)	370.350	re	(A-6375)	372.250	n	(P-4524)	
211.6110	n	(P-2491/93.A-1253)	370.400	re	(A-6375)	372.300	n	(P-4524)	
211.6170	n	(P-2491/93.A-1253)	370.410	re	(A-6375)	372.310	n	(P-4524)	
211.6250	n	(P-2491/93.A-1253)	370.420	re	(A-6375)	372.400	n	(P-4524)	
211.6630	n	(P-2491/93.A-1253)	370.430	re	(A-6375)	372.410	n	(P-4524)	
211.6650	n	(P-2491/93.A-1253)	370.440	re	(A-6375)	372.420	n	(P-4524)	
211.6710	n	(P-2491/93.A-1253)	370.450	re	(A-6375)	372.430	n	(P-4524)	
211.6770	n	(P-2491/93.A-1253)	370.460	re	(A-6375)	372.440	n	(P-4524)	
211.6830	n	(P-2491/93.A-1253)	370.470	re	(A-6375)	372.500	n	(P-4524)	
211.7050	n	(P-2491/93.A-1253)	370.470	re	(A-6375)	372.510	n	(P-4524)	
212.113	em	(P-9671)	370.500	re	(A-6375)	399.10	n	(P-2552)	
212.1700	n	(P-9671)	370.510	re	(A-6375)	399.20	n	(P-2552)	
212.701	n	(P-9671)	370.520	re	(A-6375)	399.30	n	(P-2552)	
212.702	n	(P-9671)	370.530	re	(A-6375)	399.40	n	(P-2552)	
212.703	n	(P-9671)	370.540	re	(A-6375)	399.50	n	(P-2552)	
212.704	n	(P-9671)	370.550	re	(A-6375)	399.60	n	(P-2552)	
212.705	n	(P-9671)	370.560	re	(A-6375)	399.110	n	(P-2552)	
218.108	em	(P-12491/93.A-1945)	370.570	re	(A-6375)	399.120	n	(P-2552)	

SAI-8

Volume 18, Issue #21

ILLINOIS REGISTER

SECTIONS AFFECTED INDEX

May 27, 1994

(Title 35, cont.)	811.101	am	(P-8726/93.A-1308) (C-4434)	811.715	am	(P-8726/93.A-1308) (C-4434)	200.260	r	(P-22)
	811.107	am	(P-8726/93.A-1308) (C-4434)	811.Ap.A	am	(P-8726/93.A-1308) (C-4434)	200.270	r	(P-22)
811.110	am	am	(P-8726/93.A-1308) (C-4434)	II A	am	(P-8726/93.A-1308) (C-4434)	200.280	r	(P-22)
	am	am	(P-8726/93.A-1308) (C-4434)	II C	am	(P-8726/93.A-1308) (C-4434)	200.290	r	(P-22)
811.111	am	am	(P-8726/93.A-1308) (C-4434)	II D	am	(P-8726/93.A-1308) (C-4434)	200.310	r	(P-22)
	am	am	(P-8726/93.A-1308) (C-4434)	II E	am	(P-8726/93.A-1308) (C-4434)	200.320	r	(P-22)
811.112	n	am	(P-8726/93.A-1308) (C-4434)		am	(P-8726/93.A-1308) (C-4434)	200.330	r	(P-22)
	am	am	(P-8726/93.A-1308) (C-4434)	811.Ap.B	am	(P-8726/93.A-1308) (C-4434)	200.340	am	(P-22)
TITLE 44									
811.302	am	am	(P-8726/93.A-1308) (C-4434)	813.106	am	(P-8726/93.A-1308) (C-4434)	650.10	n	(P-3208)
811.303	am	am	(P-8726/93.A-1308) (C-4434)		am	(P-8726/93.A-1308) (C-4434)	650.20	n	(P-3208)
811.308	am	am	(P-8726/93.A-1308) (C-4434)	814.101	am	(P-8726/93.A-1308) (C-4434)	650.30	n	(P-3208)
811.310	am	am	(P-8726/93.A-1308) (C-4434)	814.102	am	(P-8726/93.A-1308) (C-4434)	650.40	n	(P-3208)
811.311	am	am	(P-8726/93.A-1308) (C-4434)	814.103	am	(P-8726/93.A-1308) (C-4434)	650.50	n	(P-3208)
	am	am	(P-8726/93.A-1308) (C-4434)	814.104	am	(P-8726/93.A-1308) (C-4434)	650.60	n	(P-3208)
811.312	am	am	(P-8726/93.A-1308) (C-4434)	814.105	am	(P-8726/93.A-1308) (C-4434)	650.70	n	(P-3208)
811.314	am	am	(P-8726/93.A-1308) (C-4434)	814.107	n	(P-8726/93.A-1308) (C-4434)	650.80	n	(P-3208)
811.318	am	am	(P-8726/93.A-1308) (C-4434)	814.108	n	(P-8726/93.A-1308) (C-4434)	650.90	n	(P-3208)
811.319	am	am	(P-8726/93.A-1308) (C-4434)	814.109	am	(P-8726/93.A-1308) (C-4434)	650.100	n	(P-3208)
811.320	am	am	(P-8726/93.A-1308) (C-4434)	814.102	am	(P-8726/93.A-1308) (C-4434)	650.110	n	(P-3208)
811.323	am	am	(P-8726/93.A-1308) (C-4434)	814.103	am	(P-8726/93.A-1308) (C-4434)	650.120	n	(P-3208)
811.324	n	am	(P-8726/93.A-1308) (C-4434)	814.104	am	(P-8726/93.A-1308) (C-4434)	650.130	n	(P-3208)
811.325	n	am	(P-8726/93.A-1308) (C-4434)	814.105	am	(P-8726/93.A-1308) (C-4434)	650.140	n	(P-3208)
811.326	n	am	(P-8726/93.A-1308) (C-4434)	814.106	am	(P-8726/93.A-1308) (C-4434)	650.150	n	(P-3208)
811.700	am	am	(P-8726/93.A-1308) (C-4434)	817.309	n	(P-8726/93.A-1308) (C-4434)	650.160	n	(P-3208)
811.701	am	am	(P-8726/93.A-1308) (C-4434)	TITLE 38			650.170	n	(P-3208)
811.702	am	am	(P-8726/93.A-1308) (C-4434)	130.10	am	(P-6929/93.93.W.6454)	650.180	n	(P-3208)
811.703	am	am	(P-8726/93.A-1308) (C-4434)	130.20	am	(P-6929/93.93.W.6454)	650.190	n	(P-3208)
811.704	am	am	(P-8726/93.A-1308) (C-4434)	130.30	am	(P-6929/93.93.W.6454)	650.200	n	(P-3208)
811.705	am	am	(P-8726/93.A-1308) (C-4434)	380.10	am	(P-19347/93.A.4630)	650.210	n	(P-3208)
	am	am	(P-8726/93.A-1308) (C-4434)	380.20	n	(P-19347/93.A.4630)	650.300	n	(P-3208)
811.706	am	am	(P-8726/93.A-1308) (C-4434)	380.30	n	(P-19347/93.A.4630)	650.330	n	(P-3208)
	am	am	(P-8726/93.A-1308) (C-4434)	610.10	n	(P-7168.C-8172)	650.340	n	(P-3208)
811.707	am	am	(P-8726/93.A-1308) (C-4434)	610.20	n	(P-7168.C-8172)	650.350	n	(P-3208)
811.700	am	am	(P-8726/93.A-1308) (C-4434)	610.30	n	(P-7168.C-8172)	650.Ap.A	n	(P-3208)
811.701	am	am	(P-8726/93.A-1308) (C-4434)	610.40	n	(P-7168.C-8172)	650.Ap.B	n	(P-3208)
	am	am	(P-8726/93.A-1308) (C-4434)	610.50	n	(P-7168.C-8172)	650.Ap.C	n	(P-3208)
811.702	am	am	(P-8726/93.A-1308) (C-4434)	610.60	n	(P-7168.C-8172)	650.Ap.D	n	(P-3208)
	am	am	(P-8726/93.A-1308) (C-4434)	610.70	n	(P-7168.C-8172)	650.Ap.E	n	(P-3208)
811.703	am	am	(P-8726/93.A-1308) (C-4434)	610.80	n	(P-7168.C-8172)	5000.250	n	(P-5057)
811.704	am	am	(P-8726/93.A-1308) (C-4434)	610.90	n	(P-7168.C-8172)	5000.310	am	(P-5057)
	am	am	(P-8726/93.A-1308) (C-4434)	610.Ex.A	n	(P-7168.C-8172)	TITLE 47		
811.705	am	am	(P-8726/93.A-1308) (C-4434)	610.Ex.B	n	(P-7168.C-8172)	160.10	am	(P-1547/93.A.5163)
811.706	am	am	(P-8726/93.A-1308) (C-4434)	610.Ex.D	n	(P-7168.C-8172)	160.30	am	(P-1547/93.A.5163)
	am	am	(P-8726/93.A-1308) (C-4434)	1075.2175	n	(E-7016)	160.40	am	(P-1547/93.A.5163)
811.707	am	am	(P-8726/93.A-1308) (C-4434)	TITLE 41			160.50	am	(P-1547/93.A.5163)
811.708	am	am	(P-8726/93.A-1308) (C-4434)	200.5	am	(P-22)	160.60	am	(P-1547/93.A.5163)
	am	am	(P-8726/93.A-1308) (C-4434)	200.10	am	(P-22)	160.70	am	(P-1547/93.A.5163)
811.709	am	am	(P-8726/93.A-1308) (C-4434)	200.20	am	(P-22)	160.80	am	(P-1547/93.A.5163)
	am	am	(P-8726/93.A-1308) (C-4434)	200.30	am	(P-22)	310.401	am	(P-13659/93.A.1939)
811.710	am	am	(P-8726/93.A-1308) (C-4434)	200.40	am	(P-22)	360.103	am	(P-16691.E.2124)
	am	am	(P-8726/93.A-1308) (C-4434)	200.60	am	(P-22)	360.104	am	(P-16691.E.2124)
811.711	am	am	(P-8726/93.A-1308) (C-4434)	200.70	am	(P-22)	360.106	am	(P-16691.E.2124)
	am	am	(P-8726/93.A-1308) (C-4434)	200.100	am	(P-22)	360.114	am	(P-16691.E.2124)
811.712	am	am	(P-8726/93.A-1308) (C-4434)	200.120	am	(P-22)	360.119	am	(P-16691.E.2124)
	am	am	(P-8726/93.A-1308) (C-4434)	200.160	f	(P-22)	360.201	am	(P-16691.E.2124)
811.713	am	am	(P-8726/93.A-1308) (C-4434)	200.180	f	(P-22)	360.202	am	(P-16691.E.2124)
	am	am	(P-8726/93.A-1308) (C-4434)	200.200	f	(P-22)	360.203	am	(P-16691.E.2124)
811.714	am	am	(P-8726/93.A-1308) (C-4434)	200.230	f	(P-22)	360.204	am	(P-16691.E.2124)
	am	am	(P-8726/93.A-1308) (C-4434)	200.240	f	(P-22)	360.301	am	(P-16691.E.2124)
	am	am	(P-8726/93.A-1308) (C-4434)	200.250	f	(P-22)	360.303	am	(P-16691.E.2124)
	am	am	(P-8726/93.A-1308) (C-4434)	200.260	f	(P-22)	360.304	am	(P-16691.E.2124)
	am	am	(P-8726/93.A-1308) (C-4434)	200.270	f	(P-22)	360.305	am	(P-16691.E.2124)

SAI-10

Volume 18, Issue #21

ILLINOIS REGISTER

SECTIONS REGISTERED INDEX

May 27, 1994

(Title 35, cont.)

399.1.30	n	(P-2552)	728.101	em	(P-9317/93.A-20692/93; C-5013)	732.409	n	(P-5403)
399.1.40	n	(P-2552)	728.102	em	(P-388.A-6799)	732.410	n	(P-5403)
399.Ap.A	n	(P-2552)			(P-9317/93; P-388.A-6799)	732.500	n	(P-5403)
611.101	em	(P-7642)			(P-20692/93.C-5013)	732.501	n	(P-5403)
611.102	em	(P-7642)	728.107	em	(P-388.A-6799)	732.502	n	(P-5403)
611.212	em	(P-7642)			(P-9317/93.A-20692/93; C-5013/P-6535)	732.504	n	(P-5403)
611.532	em	(P-7642)			(P-388.A-6799)	732.505	n	(P-5403)
611.602	em	(P-7642)	728.108	em	(P-9317/93; P-388.A-6799)	732.600	n	(P-5403)
611.603	em	(P-7642)			(P-20692/93.C-5013)	732.601	n	(P-5403)
611.607	em	(P-7642)			(P-388.A-6799)	732.602	n	(P-5403)
611.609	em	(P-7642)	728.135	em	(P-388.A-6799)	732.603	n	(P-5403)
611.612	em	(P-7642)	728.136	em	(P-388.A-6799)	732.604	n	(P-5403)
611.616	em	(P-7642)	728.137	em	(P-388.A-6799)	732.605	n	(P-5403)
611.646	em	(P-7642)			(P-9317/93; P-388.A-6799)	732.606	n	(P-5403)
611.648	em	(P-7642)			(P-20692/93.C-5013)	732.607	n	(P-5403)
611.685	em	(P-7642)			(P-388.A-6799)	732.608	n	(P-5403)
611.851	em	(P-7642)	728.140	em	(P-9317/93.A-20692/93; C-5013/P-6535)	732.609	n	(P-5403)
611.856	em	(P-7642)			(P-388.A-6799)	732.610	n	(P-5403)
611.Ap.A	em	(P-7642)			(P-20692/93.C-5013)	732.611	n	(P-5403)
611.609	em	(P-7642)	728.141	em	(P-388.A-6799)	732.612	n	(P-5403)
620.125	em	(P-5113)			(P-9317/93.A-20692/93; C-5013/P-6535)	732.Ap.A	n	(P-5403)
620.210	em	(P-5113)	728.142	em	(P-388.A-6799)	732.Ap.B	n	(P-5403)
620.260	em	(P-5113)	728.145	em	(P-388.A-6799)	739.100	em	(P-455)
620.302	em	(P-5113)	728.146	em	(P-388.A-6799)	739.110	em	(P-455)
620.310	em	(P-5113)	728.148	em	(P-388.A-6799)	739.111	em	(P-455)
620.410	em	(P-5113)	728.150	em	(P-6535)	739.112	em	(P-455)
620.420	em	(P-5113)	728.Ap.A	em	(P-388.A-6799)	739.121	em	(P-455)
620.605	em	(P-5113)	728.Ap.B	em	(P-6535)	739.122	em	(P-455)
702.110	em	(P-406.A-6918)			(P-388.A-6799)	739.123	em	(P-455)
703.110	em	(P-6560)	728.Tb.A	em	(P-388.A-6799)	739.124	em	(P-455/P-9588/93; A-20954/93.C-5017)
703.205	em	(P-6560)	728.Tb.B	em	(P-388.A-6799)			
703.223	em	(P-6560)			(P-9317/93.A-20692/93; C-5013)			
703.232	em	(P-6560)	728.Tb.D	em	(P-388.A-6799)	739.140	em	(P-455)
703.Ap.A	em	(P-419.A-6898)			(P-9317/93.A-20692/93; C-5013)	739.142	em	(P-455)
720.111	em	(P-6563)			(P-388.A-6799)			
720.112	em	(P-6563)	728.Tb.F	em	(P-388.A-6799)	739.143	em	(P-455/P-9588/93; A-20954/93.C-5017)
721.103	em	(P-357.A-6741)	732.100	n	(P-5403)	739.145	em	(P-455)
721.104	em	(P-357.A-6741)	732.101	n	(P-5403)	739.146	em	(P-455)
721.105	em	(P-357.A-6741)	732.102	n	(P-5403)			
721.106	em	(P-357.A-6741)	732.103	n	(P-5403)			
721.122	em	(P-6526)	732.104	n	(P-5403)	739.151	em	(P-455/P-9588/93; A-20954/93.C-5017)
721.124	em	(P-6526)	732.105	n	(P-5403)			
721.Ap.B	em	(P-6526)	732.200	n	(P-5403)	739.152	em	(P-455)
721.Ap.C	em	(P-6526)	732.201	n	(P-5403)	739.154	em	(P-455)
721.Ap.J	em	(P-6526)	732.202	n	(P-5403)	739.156	em	(P-455)
721.Ap.K	em	(P-6526)	732.203	n	(P-5403)			
724.101	em	(P-9453/93; A-20830/93.C-5015)	732.204	n	(P-5403)	739.157	em	(P-455/P-9588/93; A-20954/93.C-5017)
			732.300	n	(P-5403)			
			732.301	n	(P-5403)	739.158	em	(P-455)
724.103	em	(P-439.A-6973)	732.302	n	(P-5403)	739.160	em	(P-455)
724.201	em	(P-439.A-6973)	732.303	n	(P-5403)	739.162	em	(P-455)
724.280	em	(P-6641)	732.304	n	(P-5403)			
724.351	em	(P-6641)	732.305	n	(P-5403)	739.164	em	(P-455)
724.414	em	(P-6641)	732.306	n	(P-5403)	739.165	em	(P-455)
724.452	em	(P-439.A-6973)	732.307	n	(P-5403)			
724.653	n	(P-439.A-6973)	732.308	n	(P-5403)	739.170	em	(P-455/P-9588/93; A-20954/93.C-5017)
725.101	em	(P-377.A-6771; P-9245/93.A-20620/93; C-5011)	732.309	n	(P-5403)	739.171	em	(P-455)
			732.310	n	(P-5403)			
			732.311	n	(P-5403)	739.172	em	(P-455)
725.243	em	(P-337.A-6771)	732.401	n	(P-5403)	739.173	em	(P-455/P-9588/93; A-20954/93.C-5017)
725.280	em	(P-6568)	732.402	n	(P-5403)			
725.414	em	(P-6568)	732.403	n	(P-5403)	739.174	em	(P-455/P-9588/93; A-20954/93.C-5017)
725.543	em	(P-337.A-6771)	732.404	n	(P-5403)			
726.203	em	(P-6600)	732.405	n	(P-5403)	810.103	em	(P-8702/93.A-1268)
726.204	em	(P-6600)	732.406	n	(P-5403)	810.104	em	(P-8702/93.A-1268)
726.206	em	(P-6600)						
726.212	em	(P-6600)						
726.Ap.G	em	(P-6600)						

SAI-9

Volume 18, Issue #21

ILLINOIS REGISTER

SECTIONS AFFECTED INDEX

May 27, 1994

360.309

am

(P-1669)(E-2124)

700.110

n

(P-4530)(A-5826)

2012 Ex. C

am

(P-11279)(93)(A-2238)

240.370

am

(P-22128)(93)(A-8061)

240.1950

n

(P-22128)(93)(A-8061)

360.310

am

(P-1669)(E-2124)

700.200

n

(P-4530)(A-5826)

2017.10

n

(P-37)

240.380

am

(P-22128)(93)(A-8061)

240.1960

n

(P-22128)(93)(A-8061)

360.401

am

(P-1669)(E-2124)

700.205

n

(P-4530)(A-5826)

2017.30

n

(P-37)

240.390

am

(P-22128)(93)(A-8061)

240.1970

n

(P-22128)(93)(A-8061)

360.501

am

(P-1669)(E-2124)

700.207

n

(P-4530)(A-5826)

2017.40

n

(P-37)

240.400

am

(P-22128)(93)(A-8061)

240.1980

n

(P-22128)(93)(A-8061)

360.502

am

(P-1669)(E-2124)

700.209

n

(P-4530)(A-5826)

2017.50

n

(P-37)

240.410

am

(P-22128)(93)(A-8061)

240.1990

n

(P-22128)(93)(A-8061)

360.503

am

(P-1669)(E-2124)

700.211

n

(P-4530)(A-5826)

2017.60

n

(P-37)

240.420

am

(P-22128)(93)(A-8061)

240.2000

n

(P-22128)(93)(A-8061)

360.505

am

(P-1669)(E-2124)

700.213

n

(P-4530)(A-5826)

2017.70

n

(P-37)

240.430

am

(P-22128)(93)(A-8061)

240.2010

n

(P-22128)(93)(A-8061)

360.506

am

(P-1669)(E-2124)

700.220

n

(P-4530)(A-5826)

2018.10

n

(P-37)

240.440

am

(P-22128)(93)(A-8061)

240.2020

n

(P-22128)(93)(A-8061)

360.507

am

(P-1669)(E-2124)

700.221

n

(P-4530)(A-5826)

2018.20

n

(P-37)

240.450

am

(P-22128)(93)(A-8061)

240.2030

n

(P-22128)(93)(A-8061)

360.601

am

(P-1669)(E-2124)

700.222

n

(P-4530)(A-5826)

2018.30

n

(P-37)

240.460

am

(P-22128)(93)(A-8061)

240.2040

n

(P-22128)(93)(A-8061)

360.602

am

(P-1669)(E-2124)

700.223

n

(P-4530)(A-5826)

2018.40

n

(P-37)

240.470

am

(P-22128)(93)(A-8061)

240.2050

n

(P-22128)(93)(A-8061)

360.603

am

(P-1669)(E-2124)

700.224

n

(P-4530)(A-5826)

2018.50

n

(P-37)

240.480

am

(P-22128)(93)(A-8061)

240.2060

n

(P-22128)(93)(A-8061)

360.801

am

(P-1669)(E-2124)

700.225

n

(P-4530)(A-5826)

2018.60

n

(P-37)

240.490

am

(P-22128)(93)(A-8061)

240.2070

n

(P-22128)(93)(A-8061)

360.802

am

(P-1669)(E-2124)

700.226

n

(P-4530)(A-5826)

2018.70

n

(P-37)

240.500

am

(P-22128)(93)(A-8061)

240.2080

n

(P-22128)(93)(A-8061)

360.803

am

(P-1669)(E-2124)

700.227

n

(P-4530)(A-5826)

2018.80

n

(P-37)

240.510

am

(P-22128)(93)(A-8061)

240.2090

n

(P-22128)(93)(A-8061)

360.804

am

(P-1669)(E-2124)

700.228

n

(P-4530)(A-5826)

2018.90

n

(P-37)

240.520

am

(P-22128)(93)(A-8061)

240.2100

n

(P-22128)(93)(A-8061)

360.901

am

(P-1669)(E-2124)

700.250

n

(P-4530)(A-5826)

2019.10

n

(P-37)

240.530

am

(P-22128)(93)(A-8061)

240.2110

n

(P-22128)(93)(A-8061)

360.902

am

(P-1669)(E-2124)

700.252

n

(P-4530)(A-5826)

2018.110

n

(P-37)

240.540

am

(P-22128)(93)(A-8061)

240.2120

n

(P-22128)(93)(A-8061)

360.903

am

(P-1669)(E-2124)

700.260

n

(P-4530)(A-5826)

2018.120

n

(P-37)

240.550

am

(P-22128)(93)(A-8061)

240.2130

n

(P-22128)(93)(A-8061)

360.904

am

(P-1669)(E-2124)

700.265

n

(P-4530)(A-5826)

2018.130

n

(P-37)

240.560

am

(P-22128)(93)(A-8061)

240.2140

n

(P-22128)(93)(A-8061)

360.905

am

(P-1669)(E-2124)

700.270

n

(P-4530)(A-5826)

2018.140

n

(P-37)

240.570

am

(P-22128)(93)(A-8061)

240.2150

n

(P-22128)(93)(A-8061)

360.1101

am

(P-1669)(E-2124)

700.275

n

(P-4530)(A-5826)

2018.150

n

(P-37)

240.580

am

(P-22128)(93)(A-8061)

240.2160

n

(P-22128)(93)(A-8061)

360.1102

am

(P-1669)(E-2124)

700.280

n

(P-4530)(A-5826)

2018.160

n

(P-37)

240.590

am

(P-22128)(93)(A-8061)

240.2170

n

(P-22128)(93)(A-8061)

365.101

n

(P-9561)(E-1596)

TITLE 50

1103.10

n

(P-8411)(93)(A-6168)

6201.75

am

(A-2282)

240.1640

am

(P-22128)(93)(A-8061)

240.1650

am

(P-22128)(93)(A-8061)

365.102

n

(P-9561)(E-1596)

854.10

am

(P-21143)(93)(A-6176)

2018.170

n

(P-37)

240.1660

am

(P-22128)(93)(A-8061)

240.1660

am

(P-22128)(93)(A-8061)

365.103

n

(P-9561)(E-1596)

854.20

am

(P-21143)(93)(A-6176)

2018.180

n

(P-37)

240.1670

am

(P-22128)(93)(A-8061)

240.1670

am

(P-22128)(93)(A-8061)

365.104

n

(P-9561)(E-1596)

854.30

am

(P-21143)(93)(A-6176)

2018.190

n

(P-37)

240.1680

am

(P-22128)(93)(A-8061)

240.1680

am

(P-22128)(93)(A-8061)

365.105

n

(P-9561)(E-1596)

854.40

am

(P-21143)(93)(A-6176)

2018.200

n

(P-37)

240.1690

am

(P-22128)(93)(A-8061)

240.1690

am

(P-22128)(93)(A-8061)

365.106

n

(P-9561)(E-1596)

854.50

am

(P-21143)(93)(A-6176)

2018.210

n

(P-37)

240.1700

am

(P-22128)(93)(A-8061)

240.1700

am

(P-22128)(93)(A-8061)

365.107

n

(P-9561)(E-1596)

854.60

am

(P-21143)(93)(A-6176)

2018.220

n

(P-37)

240.1710

am

(P-22128)(93)(A-8061)

240.1710

am

(P-22128)(93)(A-8061)

365.108

n

(P-9561)(E-1596)

854.70

am

(P-21143)(93)(A-6176)

2018.230

n

(P-37)

240.1720

am

(P-22128)(93)(A-8061)

240.1720

am

(P-22128)(93)(A-8061)

365.109

n

(P-9561)(E-1596)

854.80

am

(P-21143)(93)(A-6176)

2018.240

n

(P-37)

240.1730

am

(P-22128)(93)(A-8061)

240.1730

am

(P-22128)(93)(A-8061)

365.110

n

(P-9561)(E-1596)

854.90

am

(P-21143)(93)(A-6176)

2018.250

n

(P-37)

240.1740

am

(P-22128)(93)(A-8061)

240.1740

am

(P-22128)(93)(A-8061)

365.111

n

(P-9561)(E-1596)

855.00

am

(P-21143)(93)(A-6176)

2018.260

n

(P-37)

240.1750

am

(P-22128)(93)(A-8061)

240.1750

am

(P-22128)(93)(A-8061)

365.112

n

(P-9561)(E-1596)

855.10

am

(P-21143)(93)(A-6176)

2018.270

n

(P-37)

240.1760

am

(P-22128)(93)(A-8061)

240.1760

am

(P-22128)(93)(A-8061)

365.113

n

(P-9561)(E-1596)

855.20

am

(P-21143)(93)(A-6176)

2018.280

n

(P-37)

240.1770

am

(P-22128)(93)(A-8061)

240.1770

am

(P-22128)(93)(A-8061)

365.114

n

(P-9561)(E-1596)

1103.10

n

(P-8411)(93)(A-6168)

6201.75

am

(A-2282)

240.1780

am

(P-22128)(93)(A-8061)

240.1780

am

(P-22128)(93)(A-8061)

365.115

n

(P-9561)(E-1596)

1103.20

n

(P-8411)(93)(A-6168)

6201.75

am

(A-2282)

240.1790

am

(P-22128)(93)(A-8061)

240.1790

am

(P-22128)(93)(A-8061)

365.201

n

(P-9561)(E-1596)

1103.30

n

(P-8411)(93)(A-6168)

6201.75

am

(A-2282)

240.1800

am

(P-22128)(93)(A-8061)

240.1800

am

(P-22128)(93)(A-8061)

365.202

n

(P-9561)(E-1596)

1103.40

n

(P-8411)(93)(A-6168)

6201.75

am

(A-2282)

240.1810

am

(P-22128)(93)(A-8061)

240.1810

am

(P-22128)(93)(A-8061)

365.203

n

(P-9561)(E-1596)

1103.50

n

(P-8411)(93)(A-6168)

6201.75

am

(A-2282)

240.1820

am

(P-22128)(93)(A-8061)

240.1820

am

(P-22128)(93)(A-8061)

365.204

n

(P-9561)(E-1596)

1250.10

n

(P-3985)(93)(A-2230)

2630.80

am

(P-855)

240.1830

am

(P-22128)(93)(A-8061)

240.1830

am

(P-22128)(93)(A-8061)

365.301

n

(P-9561)(E-1596)

1250.20

n

(P-3985)(93)(A-2230)

2630.80

am

(P-855)

240.1840

am

(P-22128)(93)(A-8061)

240.1840

am

(P-22128)(93)(A-8061)

365.302

n

(P-9561)(E-1596)

1250.30

n

(P-3985)(93)(A-2230)

2630.80

am

(P-855)

240.1850

am

(P-22128)(93)(A-8061)

240.1850

am

(P-22128)(93)(A-8061)

365.303

n

(P-9561)(E-1596)

1250.40

n

(P-3985)(93)(A-2230)

2630.80

am

(P-855)

240.1860

am

(P-22128)(93)(A-8061)

240.1860

am

(P-22128)(93)(A-8061)

365.304

n

(P-9561)(E-1596)

1250.50

n

(P-3985)(93)(A-2230)

2630.80

am

(P-855)

240.1870

am

(P-22128)(93)(A-8061)

240.1870

am

(P-22128)(93)(A-8061)

365.305

n

(P-9561)(E-1596)

2012.10

am

(P-11279)(93)(A-2238)

2630.84

am

(P-855)

240.1880

am

(P-22128)(93)(A-8061)

240.1880

am

(P-22128)(93)(A-8061)

365.306

n

(P-9561)(E-1596)

2012.20

am

(P-11279)(93)(A-2238)

2630.84

am

(P-855)

240.1890

am

(P-22128)(93)(A-8061)

240.1890

am

(P-22128)(93)(A-8061)

365.401

n

(P-9561)(E-1596)

2012.30

am

(P-11279)(93)(A-2238)

2630.102

am

(P-855)

240.1900

am

(P-22128)(93)(A-8061)

240.1900

am

(P-22128)(93)(A-8061)

365.402

n

(P-9561)(E-1596)

2012.40

am

(P-11279)(93)(A-2238)

2630.102

am

(P-855)

240.1910

am

(P-22128)(93)(A-8061)

240.1910

am

(P-22128)(93)(A-8061)

365.403

n

(P-9561)(E-1596)

2012.50

am

(P-11279)(93)(A-2238)

2630.105

am

(P-855)

240.1920

am

(P-22128)(93)(A-8061)

240.1920

am

(P-22128)(93)(A-8061)

365.404

n

(P-9561)(E-1596)

2012.55

am

(P-11279)(93)(A-2238)

2630.112

am

(P-855)

240.1930

am

(P-22128)(93)(A-8061)

240.1930

am

(P-22128)(93)(A-8061)

365.405

n

(P-9561)(E-1596)

2012.60

am

(P-11279)(93)(A-2238)

2630.112

am

(P-855)

240.1940

am

(P-22128)(93)(A-8061)

240.1940

am

(P-22128)(93)(A-8061)

365.501

n

(P-9561)(E-1596)

2012.65

am

(P-11279)(93)(A-2238)

2650.10

am

(P-2006)(93)(RC-6022)

240.1950

am

(P-22128)(93)(A-8061)

240.1950

am

(P-22128)(93)(A-8061)

365.502

n

(P-9561)(E-1596)

2012.70

am

(P-11279)(93)(A-2238)

2650.10

am

(P-2006)(93)(RC-6022)

240.1960

am

(P-22128)(93)(A-8061)

240.1960

am

(P-22128)(93)(A-8061)

365.503

n

(P-9561)(E-1596)

2012.80

am

(P-11279)(93)(A-2238)

2650.30

am

(P-2006)(93)(RC-6022)

240.1970

am

(P-22128)(93)(A-8061)

240.1970

am

(P-22128)(93)(A-8061)

365.504

n

(P-9561)(E-1596)

2012.90

am

(P-11279)(93)(A-2238)

2650.50

am

(P-2006)(93)(RC-6022)

240.1980

am

(P-22128)(93)(A-8061)

240.1980

am

(P-22128)(93)(A-8061)

365.505

n

(P-9561)(E-1596)

2012.95

am

(P-11279)(93)(A-2238)

2650.110

am

(P-2006)(93)(RC-6022)

240.1990

am

(P-22128)(93)(A-8061)

240.1990

am

(P-22128)(93)(A-8061)

365.506

n

(P-9561)(E-1596)

2013.10

am

(P-11279)(93)(A-2238)

2650.130

am

(P-2006)(93)(RC-6022)

240.2000

am

(P-22128)(93)(A-8061)

240.2000

am

(P-22128)(93)(A-8061)

365.507

n

(P-9561)(E-1596)

2013.110

am

(P-11279)(93)(A-2238)

2650.130

am

(P-2006)(93)(RC-6022)

240.2010

am

(P-22128)(93)(A-8061)

240.2010

am

(P-22128)(93)(A-8061)

365.508

n

(P-9561)(E-1596)

2013.115

am

(P-11279)(93)(A-2238)

2650.140

am

(P-2006)(93)(RC-6022)

240.2020

am

(P-22128)(93)(A-8061)

240.2020

am

(P-22128)(93)(A-8061)

365.601

n

(P-9561)(E-1596)

2013.120

am

(P-11279)(93)(A-2238)

2650.150

am

(P-2006)(93)(RC-6022)

240.2030

am

(P-22128)(93)(A-8061)

240.2030

am

(P-22128)(93)(A-8061)

365.602

n

(P-9561)(E-1596)

2013.122

am

(P-11279)(93)(A-2238)

2650.210

am

(P-2006)(93)(RC-6022)

240.2040

am

(P-22128)(93)(A-8061)

240.2040

am

(P-22128)(93)(A-8061)

365.603

n

(P-9561)(E-1596)

2013.124

am

(P-11279)(93)(A-2238)

2650.220

am

(P-2006)(93)(RC-6022)

240.2050

am

(P-22128)(93)(A-8061)

240.2050

am

(P-22128)(93)(A-8061)

365.604

n

(P-9561)(E-1596)

2013.126

am

(P-11279)(93)(A-2238)

2650.230

am

(P-2006)(93)(RC-6022)

240.2060

am

(P-22128)(93)(A-8061)

240.2060

am

(P-22128)(93)(A-8061)

365.701

n

(P-9561)(E-1596)

2013.130

am

(P-11279)(93)(A-2238)

2650

ILLINOIS REGISTER

Volume 18, Issue #21

SECTIONS AFFECTED INDEX

May 27, 1994

Volume 18, Issue #21

ILLINOIS REGISTER
CTIONS AFFECTED INDEX

May 27, 1994

[illegible]

SAI-13

SAI-14

ILLINOIS REGISTER	
Volume 18, Issue #21	SECTIONS AFFECTED INDEX
	May 27, 1994

[illegible]

SAI-16

ILLINOIS REGISTER	SECTIONS AFFECTED	INDEX	May 27, 1994
Volume 18, Issue #21			

(Title 77, cont.)

690.200	am	(P-1691)	790.280	r	(P-3202)(E-3755)	310.280	am	(P-21233/93.A-5146)
690.200	am	(P-1691)	790.300	r	(P-3202)(E-3755)	310.290	am	(P-14314/93.A-1107)
690.300	am	(P-1691)	790.320	r	(P-3202)(E-3755)	310.450	am	(P-14314/93.A-1107)
690.310	am	(P-1691)	845.10	am	(P-8021)	310.455	am	(P-14314/93.A-1107)
690.320	am	(P-1691)	845.12	n	(P-8021)	310.495	am	(P-13857/93.A-227)
690.325	n	(P-1691)	845.28	am	(P-8021)	310.530	am	(P-14314/93.A-1107)
690.330	am	(P-1691)	845.28	am	(P-8021)	310.540	am	(P-14314/93.A-1107)
690.350	am	(P-1691)	845.30	am	(P-8021)	310.A	am	(P-21233/93.A-5146)
690.350	am	(P-1691)	845.30	am	(P-8021)	310.B	am	(P-21233/93.A-5146)
690.365	n	(P-1691)	845.30	am	(P-8021)	310.A	am	(P-14314/93.A-1107)
690.370	am	(P-1691)	845.31	am	(P-8021)	310.A	am	(P-14314/93.A-1107)
690.380	am	(P-1691)	845.32	n	(P-8021)	310.A	am	(P-13857/93.A-227)
690.400	am	(P-1691)	845.33	n	(P-8021)	310.A	am	(P-14314/93.A-1107)
690.410	am	(P-1691)	845.50	am	(P-8021)	1650.180	am	(P-22487/93.A-8349)
690.420	am	(P-1691)	845.A	am	(P-8021)	1650.180	am	(P-22487/93.A-8349)
690.450	am	(P-1691)	960.10	n	(P-2180)	1650.180	n	(P-22487/93.A-8349)
690.460	am	(P-1691)	960.20	n	(P-2180)	1650.182	n	(P-22487/93.A-8349)
690.470	am	(P-1691)	960.30	n	(P-2180)	1650.210	am	(P-22487/93.A-8349)
690.475	am	(P-1691)	960.40	n	(P-2180)	1650.230	am	(P-22487/93.A-8349)
690.480	am	(P-1691)	960.50	n	(P-2180)	1650.250	am	(P-22487/93.A-8349)
690.490	am	(P-1691)	960.60	n	(P-2180)	1650.280	am	(P-22487/93.A-8349)
690.495	am	(P-1691)	960.70	n	(P-2180)	1650.340	am	(P-22487/93.A-8349)
690.505	am	(P-1691)	960.80	n	(P-2180)	1650.340	am	(P-22487/93.A-8349)
690.510	am	(P-1691)	960.90	n	(P-2180)	1650.440	am	(P-22487/93.A-8349)
690.530	am	(P-1691)	960.110	n	(P-2205)	1650.450	am	(P-22487/93.A-8349)
690.540	am	(P-1691)	960.110	n	(P-2205)	1650.460	am	(P-22487/93.A-8349)
690.550	am	(P-1691)	960.120	n	(P-2205)	1650.520	am	(P-22487/93.A-8349)
690.570	am	(P-1691)	960.130	n	(P-2180)	1650.620	am	(P-22487/93.A-8349)
690.580	am	(P-1691)	960.210	r	(P-2180)	1650.640	am	(P-22487/93.A-8349)
690.600	am	(P-1691)	960.220	r	(P-2180)	1650.650	am	(P-22487/93.A-8349)
690.610	am	(P-1691)	960.230	r	(P-2180)	2650.1	am	(P-24489/93.A-3115)
690.620	am	(P-1691)	960.240	r	(P-2180)	2650.10	am	(P-24489/93.A-3115)
690.630	am	(P-1691)	960.250	r	(P-2180)	2650.15	am	(P-24489/93.A-3115)
690.640	am	(P-1691)	960.310	r	(P-2180)	2650.25	am	(P-24489/93.A-3115)
690.650	am	(P-1691)	960.320	r	(P-2180)	2650.30	am	(P-24489/93.A-3115)
690.670	am	(P-1691)	960.330	r	(P-2180)	2650.40	n	(P-24489/93.A-3115)
690.680	am	(P-1691)	960.350	r	(P-2180)	2650.50	n	(P-24489/93.A-3115)
690.690	am	(P-1691)	960.360	r	(P-2180)	2650.60	n	(P-24489/93.A-3115)
690.700	am	(P-1691)	1100.670	am	(P-12606/93.A-2886)	2650.70	n	(P-24489/93.A-3115)
690.710	am	(P-1691)	1110.1810	am	(P-12593/93.A-2993)	2700.110	am	(P-19755/93.A-7224)
690.720	am	(P-1691)	1110.1830	am	(P-12593/93.A-2993)	2700.200	am	(P-19755/93.A-7224)
690.730	am	(P-1691)	1400.10	r	(P-4538)	2700.320	am	(P-19755/93.A-7224)
690.740	am	(P-1691)	1400.20	r	(P-4538)	2700.410	am	(P-19755/93.A-7224)
690.750	am	(P-1691)	1400.30	r	(P-4538)	2700.430	am	(P-19755/93.A-7224)
690.760	am	(P-1691)	1400.110	am	(P-4538)	2700.440	am	(P-19755/93.A-7224)
690.770	am	(P-1691)	1400.Tb.A	r	(P-4538)	2700.450	am	(P-19755/93.A-7224)
690.780	am	(P-1691)	1400.Tb.B	r	(P-4538)	2700.600	am	(P-19755/93.A-7224)
690.790	am	(P-1691)	2090.20	am	(P-5029)	2700.630	am	(P-19755/93.A-7224)
690.800	am	(P-1691)	2090.35	am	(P-5029)	2700.640	am	(P-19755/93.A-7224)
690.810	am	(P-1691)	2090.40	am	(P-5029)	2700.670	am	(P-19755/93.A-7224)
690.820	am	(P-1691)	2090.40	am	(P-5029)	2700.700	am	(P-19755/93.A-7224)
690.830	am	(P-1691)	2090.40	am	(P-5029)	2700.710	am	(P-19755/93.A-7224)
690.840	am	(P-1691)	2090.40	am	(P-5029)	2700.720	am	(P-19755/93.A-7224)
690.850	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.860	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.870	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.880	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.890	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.900	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.910	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.920	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.930	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.940	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.950	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.960	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.970	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.980	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.990	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.100	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.110	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.120	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.130	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.140	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.150	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.160	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.170	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.180	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.190	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.200	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.210	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.220	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.230	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.240	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.250	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.260	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.270	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.280	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.290	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.300	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.310	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.320	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.330	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.340	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.350	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.360	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.370	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.380	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.390	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.400	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.410	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.420	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.430	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.440	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.450	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.460	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.470	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.480	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.490	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.500	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.510	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.520	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.530	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.540	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.550	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.560	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.570	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.580	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.590	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.600	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.610	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.620	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am	(P-19755/93.A-7224)
690.630	am	(P-1691)	2090.40	am	(P-5029)	2700.735	am</	

SAI-15

ILLINOIS REGISTER
Volume 18, Issue #21
SECTIONS AFFECTED IN

[illegible]

SAI-17

ILLINOIS REGISTER	Volume 18, Issue #21	SECTIONS AFFECTED INDEX	May 27, 1994
-------------------	----------------------	-------------------------	--------------

240.1535	em	P-14225/93.A.609	431.110	em	CC-79511P-7554	107.111	em	P-2133/93.A.7881
240.1540	em	P-14225/93.A.609	431.110	em	CC-79511P-7554	107.123	em	P-2133/93.A.7881
240.1545	r	P-14225/93.A.609	431.120	em	CC-79511P-7554	107.315	em	P-2133/93.A.7881
240.1550	em	P-14225/93.A.609	431.140	em	CC-79511P-7554	107.317	em	P-2133/93.A.7881
240.1600	em	P-14225/93.A.609	434.1	em	CC-79511P-7554	107.601	n	P-2133/93.A.7881
240.1610	em	P-14225/93.A.609	434.2	em	CC-79511P-7554	171.4	n	P-2133/93.A.7881
240.1630	em	P-14225/93.A.609	434.3	em	CC-79511P-7554	171.5	em	P-2133/93.A.7881
240.1630	em	P-14225/93.A.609	434.3	em	CC-79511P-7554	171.5	em	P-2133/93.A.7881
240.1920	em	P-14225/93.A.609	434.4	em	CC-79511P-7554	171.17	n	P-2133/93.A.7881
240.1930	em	P-14225/93.A.609	434.5	em	CC-79511P-7554	171.17	n	P-2133/93.A.7881
240.2020	em	P-14225/93.A.609	434.6	em	CC-79511P-7554	171.21	n	P-2133/93.A.7881
240.2030	em	P-14225/93.A.609	434.7	em	CC-79511P-7554	172.000	em	P-2133/93.A.7881
240.2040	em	P-14225/93.A.609	434.8	em	CC-79511P-7554	172.2215	em	P-2133/93.A.7881
240.2050	em	P-14225/93.A.609	434.9	em	CC-79511P-7554	173.2000	em	P-2133/93.A.7881
260.100	n	P-3802	434.10	em	CC-79511P-7554	173.2000	em	P-2133/93.A.7881
260.200	n	P-3802	434.11	em	CC-79511P-7554	173.2000	em	P-2133/93.A.7881
260.300	n	P-3802	434.12	em	CC-79511P-7554	173.2000	em	P-2133/93.A.7881
305.20	em	P-6467	437.7	em	CC-79511P-7554	173.2000	em	P-2133/93.A.7881
305.30	em	P-6467	437.7	em	CC-79511P-7554	173.2000	em	P-2133/93.A.7881
305.40	em	P-6467	437.7	em	CC-79511P-7554	173.2000	em	P-2133/93.A.7881
335.208	n	P-6681/93.A.	515.620	n	P-6681/93.A.	390.1140	em	P-13734/93.A.7781
408.8	em	P-2683	515.630	n	P-2683	390.1140	em	P-13734/93.A.7781
408.9	em	P-2683	515.640	n	P-2683	390.1010	em	P-13734/93.A.7781
406.12	em	P-1964/93.RC.3152	515.650	n	P-1964/93.RC.3152	390.1020	em	P-13734/93.A.7781
406.13	em	P-2683	515.650	n	P-1964/93.RC.3152	390.1020	em	P-13734/93.A.7781
406.14	em	P-1964/93.RC.3152	590.650	em	P-31061	390.1030	em	P-13734/93.A.7781
406.15	em	P-1964/93.RC.3152	590.675	em	P-31061	390.2000	em	P-13734/93.A.7781
408.30	em	P-2700	590.680	em	P-31061	391.2000	em	P-13734/93.A.7781
408.40	em	P-2700	640.10	em	P-31061	391.2000	em	P-13734/93.A.7781
408.45	em	P-2700	640.10	em	P-31061	391.2000	em	P-13734/93.A.7781
408.60	em	P-1976/93.RC.3153	668.10	em	P-40391	392.2000	em	P-13734/93.A.7781
408.65	em	P-2700	668.20	em	P-40391	392.2000	em	P-13734/93.A.7781
408.70	em	P-1976/93.RC.3153	668.30	em	P-40391	392.2000	em	P-13734/93.A.7781
428.10	em	P-5540	1200.30	em	P-7780/93.A.2104	440.410	em	P-13734/93.A.7781
428.20	em	P-5540	1200.50	em	P-7780/93.A.2104	440.420	em	P-13734/93.A.7781
428.30	em	P-5540	1200.70	em	P-7780/93.A.2104	442.130	em	P-13734/93.A.7781
428.40	em	P-5540	1200.70	em	P-7780/93.A.2104	442.205	em	P-13734/93.A.7781
428.50	n	P-5540	1200.70	em	P-7780/93.A.2104	442.230	em	P-13734/93.A.7781
428.60	em	P-5540	14.902	n	P-57961	442.270	em	P-57961
428.70	em	P-5540	14.905	n	P-57961	442.285	em	P-57961
428.80	em	P-5540	14.910	em	P-57961	442.710	em	P-57961
428.90	em	P-5540	14.920	em	P-57961	444.5	n	P-57961
431.1	em	CC-79511	14.925	em	P-57961	444.15	n	P-57961
431.2	em	CC-79511	14.930	em	P-57961	444.20	em	P-57961
431.3	em	CC-79511	14.935	em	P-57961	444.20	em	P-57961
431.4	em	CC-79511	14.940	em	P-57961	450.110	em	P-57961
431.5	em	CC-79511	14.945	em	P-57961	450.130	em	P-57961
431.6	em	CC-79511	14.950	em	P-57961	450.220	em	P-57961
431.7	em	CC-79511	14.955	em	P-57961	456.60	em	P-57961
431.8	em	CC-79511	14.960	em	P-57961	456.70	em	P-57961
431.9	em	CC-79511	14.965	em	P-57961	518.20	em	P-57961
431.10	em	CC-79511	14.970	em	P-57961	518.20	em	P-57961
431.11	em	CC-79511	14.975	em	P-57961	518.750	em	P-57961
431.12	em	CC-79511	14.980	em	P-57961	533.10	n	P-57961
431.13	em	CC-79511	14.985	em	P-57961	533.20	n	P-57961
431.20	em	CC-79511	14.990	em	P-57961	533.30	n	P-57961
431.30	em	CC-79511	14.995	em	P-57961	533.40	n	P-57961
431.40	em	CC-79511	14.997	em	P-57961	533.50	n	P-57961
431.50	em	CC-79511	14.998	em	P-57961	533.60	n	P-57961
431.60	em	CC-79511	14.999	em	P-57961	533.70	n	P-57961
431.70	em	CC-79511	107.3	em	P-2133/93.A.7881	600.10	n	P-2133/93.A.7881
431.80	em	CC-79511	107.105	em	P-2133/93.A.7881	600.20	n	P-2133/93.A.7881
431.90	em	CC-79511	107.105	em	P-2133/93.A.7881	600.30	n	P-2133/93.A.7881

SAI-18

